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INTERLOCKING SUBVERSION IN GOVERNMENT DEPARTMENTS

HEARING

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

FIRST SESSION

ON

INTERLOCKING SUBVERSION IN GOVERNMENT

DEPARTMENTS

JUNE 12, 16, 18, AND 23, 1953

PART 12

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INTERLOCKING SUBVERSION IN GOVERNMENT DEPARTMENTS

FRIDAY, JUNE 12, 1953

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to call, at 2:25 p. m., in the Old Supreme Court Room, the Capitol, Senator William E. Jenner (chairman of the subcommittee) presiding.

Present: Senator Jenner.

Also present: Robert Morris, subcommittee counsel.

The CHAIRMAN. The committee will come to order.

Mr. MORRIS. Mr. Chairman, on Thursday, May 28, 1953, Senator McCarran, with Mr. Sourwine as his counsel, held executive hearings in the chambers of courtroom 9, the Federal Building in Los Angeles. There were 3 witnesses heard in executive session on that date, and I would like to offer for the record the executive session testimony of 2 of these witnesses; namely, Craig S. Vincent and Margaret Bennett Porter.

Mrs. Porter lived at 515 Ridgewood Lane, in Pasadena, Calif., and Craig Vincent is of the San Cristobal Valley Ranch, San Cristobal, N. Mex.

Both of these witnesses had been employees of the United States Government, and their testimony is related to the present inquiry this subcommittee is undertaking to determine the extent of Communist infiltration of Government.

The CHAIRMAN. It will go into our record and now become an open record, of the two witnesses referred to in the hearings held in California.

Mr. MORRIS. Mr. Chairman, there has been a resolution passed by the subcommittee authorizing this action today.

The CHAIRMAN. All right. It will go into the record and become a part of the record.

(The testimony referred to follows:)

INTERNAL SECURITY SUBCOMMITTEE OF
THE SENATE COMMITTEE ON THE JUDICIARY,
Los Angeles, Calif., May 28, 1953.

EXECUTIVE SESSION

The subcommittee met, pursuant to notice, at 9:30 a. m., in the chambers of courtroom 9, Federal Building, Senator Pat McCarran presiding.

Present: J. G. Sourwine, associate counsel.

Senator McCARRAN. You may rise and be sworn.

Mrs. ROSENBERG. I would like to make a motion.

Senator McCARRAN. There isn't any motion to be made here.

Mrs. ROSENBERG. May I make an inquiry then? May I know who is holding the hearings, so we can ascertain before whom we are appearing this morning?

Senator McCARRAN. You are appearing before the Committee of the Judiciary of the United States Senate.

Mrs. ROSENBERG. I take it, sir, you are the representative of that or a member of the Sub-Judiciary Committee?

Senator McCARRAN. I am.

Mrs. ROSENBERG. We simply want to know whom we are addressing.

Senator McCARRAN. This is the Subcommittee on Internal Security of the Judiciary Committee of the United States Senate.

Mrs. ROSENBERG. And you are a Senator of that committee. We just want to know for the purposes of identification.

Senator McCARRAN. If I weren't, I wouldn't be here.

Mrs. ROSENBERG. I understand. I am simply asking what your name is and whether or not you are a member of that committee.

Senator McCARRAN. Yes.

Mrs. ROSENBERG. May I expect a reply to that? I say, you are, I take it, a member of that committee, and I am inquiring as to who you are, what Senator you are?

Senator McCARRAN. I am United States Senator McCarran of Nevada.

Mrs. ROSENBERG. I would like at this time to make a motion for a continuance—

Senator McCARRAN. There is no motion to be made. The witness has been subpoenaed here. She is here to testify.

Mrs. ROSENBERG. I would like the record to show, at least for the record, Mr. McCarran, that the subpoena was served with the subpoena on Saturday and that on Wednesday, which was yesterday, she ascertained for the first time the area with respect to which there would be interrogation. That because of that she was and is now not properly prepared to answer questions. That she, as a matter of fact, did not have adequate time to consult with counsel that you have before you, Mr. McCarran, and she is a subpoenaed who is not prepared. We consider that a denial of due process, and on those grounds, Mr. McCarran, we ask for a continuance.

Senator McCARRAN. I am sorry. We can't grant you the continuance because the committee will not be here after tomorrow.

Mrs. ROSENBERG. I see.

Senator McCARRAN. We will just have to proceed.

Mrs. ROSENBERG. May I make a further request? I understand from the telegram which the subpoenaed received this investigation is being conducted under Senate resolutions of a certain number, which were indicated in the telegram.

May we be presented with a copy of such resolution so that we may know under what resolution the hearing is being conducted?

Senator McCARRAN. At the proper time, yes.

Mrs. ROSENBERG. You do not consider this to be the proper time?

Senator McCARRAN. You may rise and be sworn.

Mrs. PORTER. I would like to say I think this is the proper time.

Senator McCARRAN. I said rise and be sworn.

Mrs. PORTER. Just a moment.

Senator McCARRAN. There will be no controversy here. Your counsel has presented the request and that is all there will be to it.

Mrs. PORTER. I am to testify under some authority, and I am entitled to know the authority.

Senator McCARRAN. You are under subpoena, lady. You replied to the subpoena. You are here now. If you want to take the consequences, you will have to do so, on the advice of your counsel. I am not going to give you any advice.

Mr. SOURWINE. Mr. Chairman, if I may interpose, were you served with a subpoena or did you receive telegraphic notification?

Mrs. PORTER. I was served with a subpoena and I immediately—which did not detail the purposes—I immediately wired the committee asking for information as to the scope, the resolution, what they intended to investigate. I didn't receive any answer until yesterday afternoon.

Mr. SOURWINE. You are here under a subpoena.

Mrs. PORTER. Yes; I am.

Senator McCARRAN. Will you rise and be sworn?

You do solemnly swear the testimony you are about to give before the Internal Security Committee of the Committee on the Judiciary of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PORTER. I do.

TESTIMONY OF MARGARET B. BENNETT PORTER, PASADENA, CALIF.

Senator McCARRAN. State your name and place of residence and your business or occupation.

Mrs. PORTER. Margaret B. Porter.

Senator McCARRAN. Your place of residence?

Mrs. PORTER. 515 Ridgewood Lane, Pasadena.

Senator McCARRAN. And your business or profession?

Mrs. PORTER. Housewife.

Senator McCARRAN. You may proceed, Mr. Sourwine.

Mr. SOURWINE. I would like to have counsel identified before I question the witness.

Senator McCARRAN. Yes.

Mrs. ROSENBERG. My name is Rose S. Rosenberg.

Senator McCARRAN. Are you a member of the bar of the State of California?

Mrs. ROSENBERG. I am.

Senator McCARRAN. Since when?

Mrs. ROSENBERG. I was admitted to this bar in this State, my best recollection is 1948.

Mr. BRANTON. My name is Leo Branton, Jr.

Senator McCARRAN. The lady first.

You were first admitted where to the bar?

Mrs. ROSENBERG. I was first admitted to the Pennsylvania bar, my best recollection is 1940.

Senator McCARRAN. How did you come to be admitted to the bar of California?

Mrs. ROSENBERG. I passed the bar-examination here when I came here, and was properly admitted.

Senator McCARRAN. You were not admitted on comity?

Mrs. ROSENBERG. I understand there is no comity between the two States.

Senator McCARRAN. Where is your office or place of business?

Mrs. ROSENBERG. My office, as indicated on the card before you, Mr. McCarran, is 3224 Brooklyn Avenue, Los Angeles.

Senator McCARRAN. How long have you been in the practice of the law here?

Mrs. ROSENBERG. Since the time of my admission, which I stated before; my best recollection is 1948.

Senator McCARRAN. Very well. And your name is?

Mr. BRANTON. Leo Branton, Jr.; B-r-a-n-t-o-n. I have an office at 112 West Ninth Street, Los Angeles.

Senator McCARRAN. When did you become a member of the bar of California?

Mr. BRANTON. 1949, I believe.

Senator McCARRAN. By examination?

Mr. BRANTON. Correct.

Senator McCARRAN. Very well. You may proceed, Mr. Sourwine. You both represent the witness here?

Mr. BRANTON. Yes; we both represent her.

Senator McCARRAN. Mr. Sourwine, advise counsel as to their position here, what they can do and what they can't.

Mr. SOURWINE. The witness is free to consult counsel at all times. Counsel have been requested to refrain from prompting the witness. If there is colloquy between counsel and the witness, it should not be audible on the record. We don't want to get any colloquy between witness and counsel on this record.

Mrs. ROSENBERG. Neither do we.

Mr. BRANTON. May I have your name?

Mr. SOURWINE. My name is Sourwine; S-o-u-r-w-i-n-e.

How do you spell your surname at the present time?

Mrs. PORTER. P-o-r-t-e-r.

Mr. SOURWINE. You are the person who was formerly known as Margaret Bennett?

Mrs. PORTER. Yes.

Mr. SOURWINE. I imagine the change is due to marriage?

Mrs. PORTER. That is correct.

Mr. SOURWINE. Were you at one time employed in the Federal Government, Mrs. Porter?

Mrs. PORTER. I was.

Mr. SOURWINE. You will have to excuse me if I call you Mrs. Bennett by mistake. I will apologize. I will not do it intentionally.

Mrs. Porter, when did you first go to work for the Federal Government?

Mrs. PORTER. That was many years ago and I do not have a clear recollection, but apparently you have the records; possibly you have the dates there.

Mr. SOURWINE. I have some records. Are you employed by the Federal Government at the present time?

Mrs. PORTER. As I stated to the Senator, I am a housewife.

Senator McCARRAN. You are not, I take it, employed by the Federal Government at this time?

Mrs. PORTER. No; I am not employed at all.

Mr. SOURWINE. Were you ever employed with the United States Department of Agriculture?

Mrs. PORTER. Yes; I was.

Mr. SOURWINE. In what capacity?

Mrs. PORTER. As an attorney.

Mr. SOURWINE. Of what States are you a member of the bar?

Mrs. PORTER. I am a member of the bar of the State of Illinois and the State of Colorado.

Mr. SOURWINE. Where did you get your legal education?

Mrs. PORTER. At Columbia University.

Mr. SOURWINE. Your degree is from Columbia?

Mrs. PORTER. Legal degree, yes, naturally.

Mr. SOURWINE. You have an A. B.?

Mrs. PORTER. Yes.

Mr. SOURWINE. From?

Mrs. PORTER. Vassar College.

Mr. SOURWINE. When did you get that, Mrs. Porter?

Mrs. PORTER. Which?

Mr. SOURWINE. The A. B.

Mrs. PORTER. 1925.

Mr. SOURWINE. When did you get your degree at Columbia?

Mrs. PORTER. 1932.

Mr. SOURWINE. Did you go directly into the employment of the Federal Government after you graduated?

Mrs. PORTER. No, I didn't.

Mr. SOURWINE. Did you practice law after you graduated from law school?

Mrs. PORTER. I didn't practice law. I was employed by an attorney in Chicago on special work.

Mr. SOURWINE. Did you ever practice law anywhere?

Mrs. PORTER. Yes, in Denver, Colo.

Mr. SOURWINE. Colorado is one of the States where you are admitted to the practice?

Mrs. PORTER. Naturally.

Mr. SOURWINE. When did you practice in Denver?

Mrs. PORTER. As I say, I am very hazy about the dates, but it was after I left the employment of the Government that I practiced there.

Mr. SOURWINE. You were employed in Chicago after you left law school?

Mrs. PORTER. Yes, by an attorney.

Mr. SOURWINE. Who was that?

Mrs. PORTER. His name was Arthur Fisher.

Mr. SOURWINE. Did you go from that employment to Washington for employment with the Government or was there any intervening employment?

Mrs. PORTER. I looked around for employment. As I recall—which may not be completely accurate—the first job I actually got, my first legal job I got after that was with the Government, but I am very vague. That was about 20 years ago, as I recall, and I am not clear on what happened 20 years ago. But you probably have those records.

Mr. SOURWINE. Were you ever employed as a secretary?

Mrs. PORTER. I was employed as a legal secretary or confidential secretary, but never as a stenographer-secretary.

Mr. SOURWINE. Where was that?

Mrs. PORTER. That was with the—let's see. I am not exactly sure of the name at that time of the agency. I think it was called the Works Progress Administration.

Mr. SOURWINE. Did you resign from that employment in December of 1933?

Mrs. PORTER. Well, as I said, my recollection as to dates is vague. I did resign from that employment, I know. And I left there, what the date is I couldn't recall.

Senator McCARRAN. What would be your best recollection as to the year?

Mrs. PORTER. I won't give you my recollection, Mr. Senator. I don't have any. I haven't had a chance to look up anything on this subject and I just don't remember. But I do remember that I did leave that agency, resigned from that agency.

Mr. SOURWINE. That was a resignation without prejudice?

Mrs. PORTER. Certainly.

Mr. SOURWINE. Voluntary?

Mrs. PORTER. Of course.

Mr. SOURWINE. The record here indicates that you were appointed a secretary, you were appointed from Colorado on July 7, 1933, at \$2,600 per year, in the office of the Federal Emergency Administrator of Federal Works. Does that accord with any recollection you have?

Mrs. PORTER. I don't have any accurate recollection about this. You have the records, I suppose you have the information you desire.

Mr. SOURWINE. Mr. Chairman, I offer for the record a notice of appointment to a Miss Margaret B. Bennett, of Colorado, covering the appointment for which I have just referred. I offer this to the witness and ask her if she recalls ever having received that letter of which that is a photostat.

Mrs. PORTER. I have no recollection about that.

Mr. SOURWINE. I offer the letter for the record. It is the best evidence we have at the moment.

Senator McCARRAN. You have no recollection of having received this, as I understand it?

Mrs. PORTER. No. As I told you, Senator, my recollection of what happened 20 years ago is very vague. All I recall at the moment is I was employed by that agency.

Mr. SOURWINE. Did you work for Mr. H. T. Hunt?

Senator McCARRAN. It will be inserted in the record.

(The document referred to was marked "Exhibit No. 245" and is as follows:)

EXHIBIT No. 245

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, July 7, 1933.

MISS MARGARET B. BENNETT of Colorado.

MADAM: You have been appointed by the Federal Emergency Administrator of Public Works, subject to taking the oath of office, a secretary, in that Administration, at \$2,600 per annum, effective on the date of entrance on duty.

Temporary. Under this appointment you are not subject to the provisions of the Retirement Act.

Respectfully,

GUY W. NUMBERS,

(For the Federal Emergency Administrator of Public Works).

Order No. 6-PW.

Noted on record card by (dw) Appt. Div.

Mr. BRANTON. I didn't get that name.

Mrs. ROSENBERG. I didn't, either. Could we have that repeated?

Mr. SOURWINE. Did you get the name?

Mrs. PORTER. Would you kindly repeat it?

Mr. SOURWINE. H. T. Hunt.

Mrs. PORTER. Mr. H. T. Hunt was the General Counsel of that agency at that time, and I was under his jurisdiction.

Mr. SOURWINE. I asked you if you worked for him.

Mrs. PORTER. I worked under him in that agency.

Mr. SOURWINE. You were his secretary?

Mrs. PORTER. I was his secretary.

Mr. SOURWINE. What were your duties in that position?

Mrs. PORTER. Well, actually, I am trying to think what my duties were. Perhaps you have the job description there. I don't quite remember what all my duties were.

Mr. SOURWINE. Do you remember any of them?

Mrs. PORTER. I remember I wrote some points of law up at that time, but I did not, as I recall, as clearly as I can recall, do any—do legal work beyond research. I had some administrative work there, but I don't recall just what it was. I was a general assistant in that kind of work. I don't recall exactly what I did.

Mr. SOURWINE. Did you make appointments for him, see his visitors?

Mrs. PORTER. Yes, I think I made some appointments for him, but I don't think I saw his visitors in my own capacity, so far as I can recall. But I am not clear exactly what I did.

Mr. SOURWINE. Who recommended you for the appointment as his secretary, do you know?

Mrs. PORTER. That I don't remember, either.

Mr. SOURWINE. Do you know Nathan Margold?

Mrs. PORTER. I recall having applied to him for a position.

Mr. SOURWINE. Did you know Mr. Margold?

Mrs. PORTER. Only in that capacity.

Mr. SOURWINE. Do you know whether he recommended you for appointment as secretary to Mr. Hunt?

Mrs. PORTER. I do not recall.

Mr. SOURWINE. Did you ever ask him who recommended you for such an appointment?

Mrs. PORTER. Well, I just don't recall.

Senator McCARRAN. Where did you first meet Mr. Margold?

Mrs. PORTER. Well, Senator, in that year there were a lot of lawyers looking for a job, and I was looking for a job and he was one of the people I applied to.

Senator McCARRAN. That is when you first met him?

Mrs. PORTER. That is when I first met him. That was the year—

Senator McCARRAN. What year was that?

Mrs. PORTER. That was about 1933, around there.

Senator McCARRAN. That is when the Roosevelt administration first went in?

Mrs. PORTER. Somewhere around there.

Senator McCARRAN. After the inauguration of President Roosevelt, after the 4th of March 1933?

Mrs. PORTER. I don't recall the exact date.

Senator McCARRAN. Where did you meet Mr. Margold, do you remember?

Mrs. PORTER. I just said I applied to him for a position.

Senator McCARRAN. I know, but where did you meet him, if at all?

Mrs. PORTER. He was in the Department of Interior Building. I am not sure now exactly what his capacity was.

Senator McCARRAN. You went up there in person and applied?

Mrs. PORTER. I did, yes.

Senator McCARRAN. All right.

Mr. SOURWINE. Were you ever instructor in sociology at Colorado College?

Mrs. PORTER. Yes.

Mr. SOURWINE. Colorado Springs?

Mrs. PORTER. Yes.

Mr. SOURWINE. For about 1 year?

Mrs. PORTER. Approximately. You probably have the records there. I think it was a little over a year. I think it was a year and a summer, a full term and a summer.

Mr. SOURWINE. Did you know Mr. E. K. Burlew?

Mrs. PORTER. I don't recall the name at the moment.

Mr. SOURWINE. We have a record here which indicates that you left your position as secretary to Mr. Hunt effective as of the close of business December 18, 1933. Does that accord with your recollection?

Mrs. PORTER. As I just said, I do not have any recollection as to those dates.

Senator McCARRAN. That would then not be contrary to your recollection?

Mrs. PORTER. Mr. Senator, I have no recollection of those dates.

Senator McCARRAN. I say that would not be contrary to any recollection that you have?

Mrs. PORTER. I have given you my answer. I don't have a recollection.

Mr. SOURWINE. You do have some recollection, you know you did leave Mr. Hunt's service?

Mrs. PORTER. I am talking about dates. I have no recollection about dates.

Senator McCARRAN. He didn't ask you for the date.

Mrs. PORTER. Yes, he did.

Senator McCARRAN. You know you left Mr. Hunt. What is the use in being captious about it?

Mrs. PORTER. I testified that I left that agency voluntarily.

Senator McCARRAN. Is this information just read to you contrary to your recollection?

Mrs. PORTER. He was reading me a date.

Senator McCARRAN. Beg pardon?

Mrs. PORTER. He was reading me a date, did I leave on such and such a date. I do not remember the dates.

Mrs. ROSENBERG. Are you going to testify—

Senator McCARRAN. All right. That is all. You are here to advise this witness and nothing else.

Mrs. ROSENBERG. May I address—

Senator McCARRAN. That is all.

Mrs. ROSENBERG. Am I permitted—

Senator McCARRAN. That is enough. You are to advise this witness and not advise the committee.

Mrs. ROSENBERG. I wasn't—

Senator McCARRAN. It will not be taken down.

Mrs. PORTER. I would like to consult counsel.

(At this point Mrs. Porter consulted with Mrs. Rosenberg and Mr. Branton.)

Mrs. PORTER. I would like to say, Senator, I hope you will withdraw that characterization of "captious," because I am answering the questions. But I am not testifying as to something I do not recall.

Senator McCARRAN. You are not asked to testify to anything you don't recall.

Mrs. PORTER. I am not captious. I am answering the questions insofar as I recall the answers.

Senator McCARRAN. Proceed, Mr. Sourwine.

Mr. SOURWINE. Did you go from the Federal Works Administration to the AAA—the Agricultural Adjustment Administration?

Mrs. PORTER. That is my recollection.

Mr. SOURWINE. You had a legal position with that agency?

Mrs. PORTER. Yes.

Mr. SOURWINE. What was the nature of that position?

Mrs. PORTER. I don't recall the particular job classification. I went there as a lawyer.

Mr. SOURWINE. Were you in the Office of General Counsel or were you writing regulations or hearing cases?

Mrs. PORTER. I don't recall exactly what I did when I went there, but, of course, all the lawyers I knew of were in the Office of the General Counsel. That is the setup, that lawyers are in the Office of General Counsel.

Mr. SOURWINE. Are you a member of the bar of the State of California?

Mrs. PORTER. No; I am not.

Mr. SOURWINE. Did you ever apply for membership?

Mrs. PORTER. Yes.

Mr. SOURWINE. Did you take the bar examination?

Mrs. PORTER. I did; yes.

Mr. SOURWINE. Did you pass it?

Mrs. PORTER. No; I didn't.

Mr. SOURWINE. How long, approximately—I don't ask for dates—but approximately in years, how long were you employed with the Agricultural Adjustment Administration?

Mrs. PORTER. There again I can't trust my recollection, but you have the records, so I think you know. I just can't trust my recollection.

Mr. SOURWINE. Are you telling this committee you don't approximately know how many years you were employed?

Mrs. PORTER. No; I really don't recall. That was many years ago, and I worked in many agencies, and I do not recall the period of time that I worked.

Mr. SOURWINE. What are some of the agencies you worked in?

Mrs. PORTER. Well, I worked for the Wheeler committee, Senator Wheeler's Committee on Interstate Commerce. I worked for the Labor Relations Board. I don't remember offhand how many others I worked for, if any.

Mr. SOURWINE. You said you worked for many agencies. I wondered what the ones were you had in mind.

Mrs. PORTER. If you want to quibble, perhaps that was an overstatement. I worked for more than 1 or 2.

Senator McCARRAN. You are under oath, lady.

Mrs. PORTER. Should we look up the word "many" in the dictionary, Senator?

Senator McCARRAN. You are under oath. I wouldn't quibble with things if I were you. You can get through with this thing very easily.

Mrs. PORTER. You know what agencies I was with; you have the records.

Senator McCARRAN. We are asking you. If you don't want to answer, you can take the consequences. We are asking you and we ask you to tell the truth. You remember the agencies you worked for.

Mrs. PORTER. I have stated the agencies I remember, Senator.

Senator McCARRAN. Proceed, Mr. Sourwine.

Mr. SOURWINE. How did you get your job at the AAA?

Mrs. PORTER. What do you mean, how?

Mr. SOURWINE. Well, you had a job with the public works section under Mr. Hunt. You got a job with the AAA and then you resigned under Mr. Hunt. Now, how did you get that job with the AAA?

Mrs. PORTER. May I discuss this with my counsel, please?

(At this point Mrs. Porter consulted with Mrs. Rosenberg and Mr. Branton.)

Senator McCARRAN. Read the last question, Miss Reporter?

(The question was read.)

Mrs. PORTER. I have been trying to recall. I do not recall the exact method by which I got that job. I know I did get it and I know I wanted to get it, but I can't, just can't remember the exact method, you know; whether I filed an application—I presume I did, because I presume that was the technique. But I don't recall the exact way, although I do recall that I did resign from public works and I did go to that agency.

Mr. SOURWINE. Do you recall the name of anyone who recommended you for that job?

Mrs. PORTER. Let's see. Why don't you—you seem——

Senator McCARRAN. Just a moment.

Mrs. PORTER. I suggest if you would be specific——

Senator McCARRAN. Do you recall the name of anyone who recommended you for the job? It is a plain question.

Mrs. PORTER. Well, Senator——

Senator McCARRAN. It asks for a simple answer.

Mrs. PORTER. Well, Senator, my recollection is very vague.

Senator McCARRAN. Read the question.

Mrs. PORTER. I am trying to recall. I am not quite sure what the situation was then.

Senator McCARRAN. Read the question again to the witness.

(The question was read.)

Senator McCARRAN. Do you recall of anyone who recommended you for that job? If you don't recall, all you have to do is say, "I do not recall." If you do recall, very well.

(At this point Mrs. Porter consulted with Mrs. Rosenberg and Mr. Branton.)

Mrs. PORTER. Well, Senator, I don't recall who it was that recommended me for that job.

Mr. SOURWINE. Subsequent to that job with the AAA you were employed as associate attorney in the Office of the Solicitor for the Department of Agriculture; is that right?

Mrs. PORTER. Well, I don't recall that particular job classification, but I was working as an attorney with the AAA.

Mr. SOURWINE. Weren't you put on the roll as an associate attorney at \$3,200 per year in the Office of the Solicitor for the purpose of being detailed to the Senate Committee on Education and Labor?

Mrs. PORTER. To be——

Mr. SOURWINE. To be detailed to the Senate Committee on Education and Labor.

Mrs. PORTER. Would you kindly read that question?

(The question was read.)

Mrs. PORTER. I don't recall whether I was or not.

Mr. SOURWINE. Do you recall being detailed to the Senate Committee on Education and Labor?

Mrs. PORTER. I recall having done a research job for the Government at one time or another. And I don't recall exactly under what agency, so I don't know how to answer that question. I don't recall.

Mr. SOURWINE. Don't you recall working for the Senate Committee on Education and Labor at all?

Mrs. PORTER. No.

Mr. SOURWINE. That is all I want to know.

Mrs. PORTER. I do not recall any specific classification. As I say, I do recall having done a research job for some agency, and I am not quite clear now what the particular classification was.

Senator McCARRAN. Did you work for the Committee on Education and Labor?

Mrs. PORTER. Senator, I have given my answer.

Senator McCARRAN. What is it?

Mrs. PORTER. I have already given my answer——

Senator McCARRAN. You haven't given an answer to that one.

Mrs. PORTER. I have answered.

Senator McCARRAN. Did you work for the Committee on Education and Labor of the Senate?

Mrs. PORTER. I do not recall whether I did or not, because I am not sure of the classification under which I did a research job.

Senator McCARRAN. You wouldn't have any classification up there. I didn't ask for any classification.

Mrs. PORTER. I do not recall.

Senator McCARRAN. Did you work on the Hill? Did you work in the Capitol on the Education and Labor Committee for the Senate?

Mrs. PORTER. I did a research job. I do not recall how it was used, offhand right now, or for whom it was prepared. I don't recall any other job that could possibly be classified, at this time.

Senator McCARRAN. Do you remember who was the chairman of the Committee on Education and Labor when you worked for it?

Mrs. PORTER. I do not recall who was chairman.

Senator McCARRAN. Do you remember the year in which you worked for the Committee on Education and Labor?

Mrs. PORTER. Senator, that is like saying, "When did you stop beating your wife?"

Senator McCARRAN. No, it isn't.

Mrs. PORTER. I say I do not recall.

Senator McCARRAN. Do you remember the year during which you worked for the Committee on Education and Labor of the United States Senate?

Mrs. PORTER. I have no recollection.

Senator McCARRAN. You mean you don't know whether you ever got paid by the Senate?

Mrs. PORTER. I have already answered the question—by the Senate?

Senator McCARRAN. Yes.

Mrs. PORTER. I have already stated I worked for the Wheeler committee at one time.

Senator McCARRAN. You did work for the Wheeler committee?

Mrs. PORTER. I did, yes; the Wheeler committee investigating railroad financing.

Senator McCARRAN. Was that a subcommittee of the Committee on Education and Labor?

Mrs. PORTER. I think it was a subcommittee of the Committee on Interstate Commerce, as I recall.

Senator McCARRAN. How long did you work for that subcommittee?

Mrs. PORTER. Well, Senator, as I said, I am not clear as to the dates, but I did work for that subcommittee. I do not recall the dates during which I was employed by that committee.

Senator McCARRAN. Can you give me any idea how long you worked for the committee?

Mrs. PORTER. No.

Senator McCARRAN. The length of time?

Mrs. PORTER. No; I would not hazard a guess, Senator.

Senator McCARRAN. Was it as much as a year?

Mrs. PORTER. I have given my answer, Senator. I would not hazard a guess because I do not recall.

Senator McCARRAN. You wouldn't give us any estimation of the time you worked for the Wheeler committee?

Mrs. PORTER. I am not required here to give estimations. I am required to testify as to facts.

Senator McCARRAN. That is right.

Mrs. PORTER. And I will give no estimations.

Senator McCARRAN. You will give no estimations?

Mrs. PORTER. No, I will not.

Senator McCARRAN. That is because you can't or because you won't?

Mrs. PORTER. I have told you that I do not recall.

Senator McCARRAN. Is it because you can't or that you will not? Tell me which.

Mrs. PORTER. Is it because I can't give an estimation?

Senator McCARRAN. Yes.

Mrs. PORTER. Or I will not give an estimation?

Senator McCARRAN. Which is it?

Mrs. PORTER. I could not give an accurate estimation.

Senator McCARRAN. We didn't ask you for an accurate estimation. We asked you how long you worked for the Wheeler committee, a year or a day or 2 years?

Mrs. PORTER. I want to consult with counsel.

(At this point Mrs. Porter consulted with Mrs. Rosenberg and Mr. Branton.)

Mrs. PORTER. You have the records, Senator. Why don't you read that?

Senator McCARRAN. Read the question.

(The question was read.)

Mrs. PORTER. Senator, I am trying to testify according to the facts, to the best of my recollection. I do not want to conjecture, as you have warned me here any slip I may make will be held against me. I do not even think you should ask me for a conjecture.

I do not recall the period of my employment with that committee. I know I was employed by the committee. You have the records. I suggest that you refer to the records.

Senator McCARRAN. That is your answer?

Mrs. PORTER. That is my answer.

Senator McCARRAN. Proceed, Mr. Sourwine.

Mr. SOURWINE. Mr. Chairman, may I ask, we have here certain records which are original official records of the Government department. May I ask that the instruction be given that insertions of the pertinent data with respect to the employment record of the witness, covering the questions asked her, may be made in the record from these original documents?

(The documents referred to were marked "Exhibits 246, 246A-B-C, 247, 247A-B-C," and follow:)

EXHIBIT No. 246

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION, WASHINGTON, D. C.

Date: June 19, 1934.

Recommendation to the Secretary.

Action requested: Termination of Appointment; and Appointment, Section 10a, Title 1, Public No. 10, 73rd Congress.

Name: Margaret B. Bennett.

State: Colorado.

Date of birth: December 28, 1901.

Classification: Fr: EO-10. To: P-3.

Designation: Fr: Assistant Attorney. To: Associate Attorney.

Salary: Fr: \$2,900. To: \$3,200.

Appropriation: Salaries & Expenses, Agricultural Adjustment Administration, Symbol #3X017-104-99-001.

Cooperative employment: None.

Date effective: August 8, 1934.

Name and salary of predecessor: Sheet No. 2493. New Position.

Headquarters: Washington, D. C.

Period: Indefinite.

To report in: Person.

Reasons (Including statement of education, training, and experience for appointment, reinstatement, transfer, etc.):

Since December 19, 1933, Miss Bennett has been employed as Assistant Attorney at \$2900 per annum in the Office of the General Counsel. She has been serving in an unallocated position, and it is now proposed to terminate that

appointment and to reappoint her in an allocated position as Associate Attorney at \$3200 per annum in the Litigation Section of the Office of the General Counsel. It is believed that the duties of this position fall under grade P-3 of the Classification Act.

Under general supervision of the Special Advisor on Litigation, Miss Bennett will prepare legal memoranda and opinions and perform other assigned duties incident to the conduct of litigation affecting the Administration; and as assistant to a Special Assistant to the General Counsel, perform legal research work to determine the legal rights of landlords and tenants; compile laws in different states with relation to the rights of landlords and tenants with special reference to benefit contract payments issued pursuant to provisions of the Act; and act as assistant to the Committee on Violations of Benefit Contracts.

Miss Bennett completed grade and high schools, attended Colorado College one year, received her A. B. degree from Vassar College in 1925; worked toward a Ph. D. degree in economics at Columbia University Graduate School, and received her LL. B. degree from Columbia Law School in 1932. She is a member of the Illinois Bar Association. From 1926 to 1927 she was an instructor in Sociology at Colorado College at \$1800 per annum; in the summers of 1929, 1930, and 1931 she worked as an assistant in economics, Bryn Mawr School for Women Workers, as a Law Clerk in the office of H. W. Houston, Charleston, and as a Clerk in the West Virginia Mine Workers' Union, respectively, without compensation; from 1932 to 1933 was a law clerk in the Chicago Civil Liberties Committee; and from July 1933 to December 19, 1933, was employed as legal secretary to the General Counsel of the Public Works Administration, Washington, D. C., at \$2600 (net) per annum.

J. WM. HARVEY,
Assistant to Administrator.

Vacancy Position No. 7007, Journal No. 74, approved by President August 4, 1934.

EXHIBIT No. 246A

WASHINGTON, D. C., *February 9, 1935.*

The honorable the SECRETARY OF AGRICULTURE.

DEAR MR. SECRETARY: Because the resignation of Mr. Frank has been requested I hereby tender my resignation to take effect as of February 15.

I doubt that in the history of this country has a Government bureau been served with more brilliance, integrity, disregard for personal advancement, and tireless devotion to the interests of the people which that bureau was charged to protect than the Agricultural Adjustment Administration has been served by Mr. Frank. He has honestly and courageously pointed out the attempts on the part of interests inimical to the great mass of farmers to use the Agricultural Adjustment Administration for their selfish purposes. The request for his resignation, and that of the others who resigned at the same time, therefore, seems to me to constitute the adoption of policies out of keeping with the purposes of the Agricultural Adjustment Act, and a declaration that the Agricultural Adjustment Administration does not welcome the kind of public service which Mr. Frank has performed.

Under these circumstance I cannot remain with a feeling of cooperation, even though my position is a subordinate one.

Respectfully,

MARGARET B. BENNETT.

EXHIBIT No. 246B

PERSONNEL RECOMMENDATION

JULY 22, 1935.

To the Administrator:

Your approval of the following recommendation is requested: Extension of Appointment for Emergency Period of Margaret B. Bennett, Division of office: General Counsel's Office, Section & Unit: Community Management Section.

Legal residence: Colorado.

Date of birth: 1901.

Designation: Associate Attorney.

Salary: \$3,200.

Headquarters: Washington, D. C.

Report in: Person.

Effective: August 1, 1935.

Period: Emergency.

Previous incumbent of position:

Reasons for action: To provide necessary legal assistance in the Community Management Section. General Counsel's Office.

Duties: See personnel sheet for duties.

Education: Vassar College, A. B., 1925; Columbia University Graduate School, 2 years; Columbia University Law School, LL. B., 1932.

Employment record (Including all Government service): 5 months as secretary to General Counsel of PWA, Washington, D. C.; 16 months as assistant attorney, AAA, Washington, D. C.; 1 year instructor sociology, Colorado College, College Springs, Col.; 6 months as legal secretary in Chicago Civil Liberties Committee.

State whether appointment is to be under civil service if excepted: If under Civil Service, give authority (including standing of appointee on certificate and disposition of eligibles whose names appear before that of appointee and action to be taken with Civil Service Certificate): Excepted.

PERSONNEL DIVISION, CLASSIFICATION SECTION

Approved: COURTS D. REA, *Chief*.

Indicate whether your appropriation or allotment is sufficient to meet the obligation recommended: Sufficient.

LEE PRESSMAN,
General Counsel.

EXHIBIT No. 246C

Standard Form No. 8

(Approved by the President, May 22, 1925)

OATH OF OFFICE

Prescribed by Section 1757, Revised Statutes of the United States Resettlement Administration, General Counsel's Office. I, Margaret B. Bennett, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.

So help me God.

(Signed) MARGARET B. BENNETT.

Subscribed and sworn to before me this 16th day of August A. D., 1935, at Washington, D. C.

[SEAL]

(Signed) THEODORE J. KING,
Notary Public.

NOTE.—If the oath is taken before a Notary Public the date of expiration of his commission should be shown.

Position to which appointed: Associate Attorney, P-3.

Date of entrance on duty: August 1, 1935.

EXHIBIT No. 247

[Telegram]

COLORADO SPRINGS, COLO., August 7, 1935.

FRED L. PARKER,

Resettlement Administration, Washington:

Margaret Bennett was capable, efficient, and well qualified for an instructorship in Colorado college several years ago. We do not have specific information relative to qualifications for the position you mention. On the basis of our general knowledge of her ability we think she should be able to fill the position you mention satisfactorily.

C. B. HERSHEY, *Dean.*

EXHIBIT No. 247A

Service rating form of Margaret Bennett, Department of Agriculture, Office of the Solicitor, Resettlement Division, signed by Monroe Oppenheim on March 31, 1937. Rating of excellent.

(The form is on file with the committee, under exhibit No.—.)

EXHIBIT No. 247B

UNITED STATES DEPARTMENT OF AGRICULTURE,

—, 193—.

To the honorable the SECRETARY OF AGRICULTURE.

SIR: I hereby tender my resignation of the position of assistant attorney at a salary at the rate of \$3,200 per annum in the Resettlement Administration, in the United States Department of Agriculture, to take effect at the termination of the 19th day of July 1937. Reasons:

Very respectfully,

(Signed) MARGARET B. BENNETT

EXHIBIT No. 247C

UNITED STATES DEPARTMENT OF AGRICULTURE,

OFFICE OF THE SOLICITOR,

Washington, D. C., Jan. 10, 1938.

Recommendation to the Secretary.

Action requested: Acceptance of Resignation.

Name: Margaret B. Bennett.

State: Colorado.

Date of birth: Dec. 28, 1901.

Classification: P-3.

Designation: Associate attorney.

Salary: \$3,200 per annum.

Appropriation: 01-56-06/S999, Emergency Relief, Farm Security Administration, Administrative Expenses, 1936-1938, OP-256-2, WP-5-003.

Cooperative employment: None.

Name and salary of predecessor: Same person, Sheet No. 617, P-3-22.

Headquarters: Washington, D. C.

Date effective: Termination of July 19, 1937.

Period:

To report in:

Reasons (including statement of education, training, and experience for appointment, reinstatement, transfer, etc.):

Miss Bennett was carried on the rolls of the Office of the Solicitor at the request of the Senate Committee on Education and Labor, to which she had been detailed, in order that she might be granted the annual leave accumulated prior to March 11, 1937, the date she was transferred to the payroll of the committee. Miss Bennett took her accumulated annual leave from July 6 through July 19, 1937. It is, therefore, recommended that her resignation, which is attached, be accepted, to take effect at the termination of July 19, 1937.

Very respectfully,

C. M. BOYLE,
Assistant Solicitor.

Senator McCARRAN. Very well.

Mr. SOURWINE. I offer them in that way because that enables me to keep these in the original folder.

Senator McCARRAN. Very well.

Mr. SOURWINE. We will get whatever authentication we can of the documents at the time we put it in the record. Were you ever employed by the Chicago Civil Liberties Committee?

Mrs. PORTER. My recollection was that I was employed by Arthur Fisher, who was the president of that organization, and for the purpose of doing work for that organization. The money that I received, according to my recollection, was from Mr. Fisher. But I did work for that organization, I would say, as his contribution to that organization.

Mr. SOURWINE. You performed the duties of legal secretary?

Mrs. PORTER. Yes; I did perform the duties of legal secretary.

Mr. SOURWINE. Now, in addition to your employment by the Public Works Administration and Agricultural Adjustment Administration, you were also employed by the Resettlement Administration, were you not?

Mrs. PORTER. I was; yes.

Mr. SOURWINE. Can you tell us any other Government employment that you had beyond the three I have mentioned, that is, Public Works, AAA, Resettlement, and the employment with the two committees of the Congress?

Mrs. PORTER. I mentioned the National Labor Relations Board already.

Mr. SOURWINE. What was your employment with the National Labor Relations Board?

Mrs. PORTER. As an attorney.

Mr. SOURWINE. That followed these other periods of employment, did it?

Mrs. PORTER. That was my last employment with the Government, as I recall.

Mr. SOURWINE. Can you tell us who assisted you to secure your employment with the Resettlement Administration?

Mrs. PORTER. I think I will refuse to answer that question on the ground that I might—I do not have to bear witness against myself under the fifth amendment.

In view of the activities of this committee and other committees, attacking certain members of the agency for which I had previously worked, and various lists would come out with names of the people who worked in the agencies I would have to refuse to answer that question under the fifth amendment, which provides I need not give—bear witness against myself.

Senator McCARRAN. On the ground that if you did answer it might tend to incriminate you?

Mr. SOURWINE. You understand, do you not, that in claiming that privilege you are asserting that there is an offense for which you could be prosecuted and that you feel that a truthful answer to the question might at least form a link in a chain which would lead to such prosecution of yourself for that offense? Is that your understanding?

Mrs. PORTER. My understanding is this—

Senator McCARRAN. On the ground that you might incriminate yourself?

Mrs. PORTER. Something in this answer might lead to prosecution for some crime.

Mr. SOURWINE. Yes.

Mrs. PORTER. That is all. Or form a link in a chain which might lead to prosecution.

Mr. SOURWINE. Yes.

Mrs. PORTER. That is slightly different from your statement.

Mr. SOURWINE. Who was the Mr. Frank in whose behalf you resigned from Government employment?

Mrs. PORTER. I object to that question. Will you please state it as a question?

Mr. SOURWINE. I said who was the Mr. Frank in whose behalf you resigned from Government employment?

Mrs. PORTER. There is no testimony here that I resigned in anybody's behalf, Senator.

Mr. SOURWINE. You did, didn't you?

Mrs. PORTER. I have not testified—

Mr. SOURWINE. I am asking you now. You did, didn't you?

Mrs. PORTER. I told you I didn't recall—

Mr. SOURWINE. Didn't you resign because a Mr. Frank had been fired?

Mrs. PORTER. What period are you referring to?

Senator McCARRAN. Just answer the question.

Mrs. PORTER. And what agency?

Mr. SOURWINE. Do you recall resigning from Government employment because a Mr. Frank had been fired?

Mrs. PORTER. I get it now. You are talking about the AAA now. I did resign because of the fact that the policies of the AAA had come to the point where many of the attorneys were fired and the policies had changed. A great many members of the legal staff were fired at that time.

Mr. SOURWINE. I ask you a question: Didn't you resign because a Mr. Frank had been fired?

Mrs. PORTER. I resigned because of the situation in the Agriculture Adjustment Administration, which included the firing of Mr. Frank.

Mr. SOURWINE. Didn't you in your resignation state you were resigning because Mr. Frank's resignation had been requested?

Mrs. PORTER. Perhaps. I don't recall what I stated, frankly. You are familiar with that situation there. I resigned because of that situation.

Mr. SOURWINE. We will get back to the original question. Who was Mr. Frank?

Mrs. PORTER. He was the General Counsel of the AAA.

Mr. SOURWINE. That is all you would have had to say to answer the first question and we could have saved this time.

Mrs. PORTER. That was not the question.

Mr. SOURWINE. What Mr. Frank was it, Jerome Frank?

Mrs. PORTER. That is correct.

Mr. SOURWINE. Was he a friend of yours?

Mrs. PORTER. Yes; he was.

Mr. SOURWINE. Is he still?

Mrs. PORTER. I haven't seen him for many years.

Mr. SOURWINE. What was the highest salary you ever received in the Government?

Mrs. PORTER. That I don't recall. I am sure you have the records. I am not going to guess. I have a guess, but you have the records there.

Mr. SOURWINE. Were you ever a member of the Communist Party of the United States of America?

Mrs. PORTER. I shall decline to answer that question under the fifth amendment, my right not to testify against myself.

Mr. SOURWINE. Are you presently a member of the Communist Party of the United States of America?

Mrs. PORTER. Same answer, same grounds.

Senator McCARRAN. You decline to answer under the fifth amendment because your answer might tend to incriminate you?

Mrs. PORTER. And also under the first amendment.

Senator McCARRAN. I am asking you a question.

Mrs. PORTER. I would like to add other grounds.

Senator McCARRAN. I didn't ask you to add anything.

Mrs. PORTER. I did add it.

Senator McCARRAN. Your addition will be stricken. Why don't you answer the question?

Mrs. PORTER. I have a right to state my grounds. My answer is both grounds, I will state. The purpose of the fifth amendment was to prevent tyrannical inquisitions like this so the people might be able to make up their own minds as to whom they wish to support and what political advice they wish to have.

Senator McCARRAN. Someone has given you a very wrong conception of the fifth amendment.

Mr. BRANTON. That is a matter of opinion, Senator.

Senator McCARRAN. I didn't ask you for that.

Mr. BRANTON. That is all right. That is a matter of opinion, Senator.

Senator McCARRAN. I didn't ask you for that. Any more of that and I will remove you from the room.

Mr. BRANTON. You may remove me from the room, but—

Senator McCARRAN. I will remove you from the room in just a moment. I didn't ask you for a comment.

Mrs. ROSENBERG. I object to the Senator's statement—

Senator McCARRAN. Sit down, little lady. Your objection will be stricken from the record. Your objection is off the record. You are not in court. This is not a trial.

Mrs. PORTER. I am entitled to counsel.

Senator McCARRAN. You have counsel.

Mrs. PORTER. To be entitled to counsel means entitled to legal advice and statement of rights.

Senator McCARRAN. You were told what your rights were, and that is enough.

Mrs. PORTER. I object.

Mr. SOURWINE. Have you ever engaged in espionage for the benefit of a nation other than the United States?

Mrs. PORTER. I decline—

Senator McCARRAN. Did you hear the question?

Read the question.

(The question was read.)

(At this point Mrs. Porter consulted with Mrs. Rosenberg and Mr. Branton.)

Senator McCARRAN. Read the question, Miss Reporter.

(The question was reread.)

Mrs. PORTER. Senator, I object to this question. This is a lot like the question "Have you stopped beating your wife?", and it assumes facts not in evidence or in the record.

Senator McCARRAN. Do you stand on the fifth amendment?

Mrs. PORTER. I will answer this question in my own way. The question assumes that I have engaged in espionage in behalf of the United States. Is that the question you are asking me?

Senator McCARRAN. Read the question.

Mr. SOURWINE. The question assumes nothing.

Mrs. PORTER. It says, "Have you engaged in espionage for any country other than the—"

(The question was reread.)

Mrs. PORTER. That assumes I have engaged in espionage for the United States.

Senator McCARRAN. It doesn't assume anything. It just asks you a question. You may answer it if you wish.

Mr. SOURWINE. I will explain that for the record. It would take two questions to reach this same area otherwise. I would have to ask, first, if you had ever engaged in espionage, and then I would have to limit the area. I am interested for this record in the area of espionage other than for the United States, and that is why I asked the question the way I did.

Mrs. PORTER. Well, I am going to refuse to answer that question on the ground of the fifth amendment, which is that I need not testify against myself.

Mr. SOURWINE. I have no further questions.

Senator McCARRAN. Are you a member of the Communist Party now?

Mrs. PORTER. I have just answered the question, Senator.

Senator McCARRAN. You are carrying your Communist card right now, aren't you?

Mrs. PORTER. I have refused to answer such a question on the grounds of the fifth amendment, and I stand on my answer.

Senator McCARRAN. Will you lay your Communist card on the table before the chairman of this committee?

Mrs. PORTER. I don't have to be baited by you, Senator. I am here as a witness, not to be baited.

Senator McCARRAN. I am just asking you to lay your Communist card on the table before the committee.

Mrs. PORTER. Senator—

Mrs. ROSENBERG. That is assuming facts not in evidence.

Senator McCARRAN. Just a minute.

Mrs. PORTER. As a taxpayer and citizen I demand you stay within your constituted authority.

Senator McCARRAN. Do you refuse to do that?

Mrs. PORTER. I demand you stay within your authority to investigate—

Senator McCARRAN. Do you refuse to do that? That is all I am asking you now.

Mrs. ROSENBERG. We are here to answer questions.

Mrs. PORTER. I will answer questions and I will not be baited, Senator.

Senator McCARRAN. You are not going to lay your Communist card here; is that it? That is your answer?

Mrs. PORTER. Senator, I will not be baited. If you want to ask me a question, I will answer it.

Senator McCARRAN. I asked you the question, little lady.

Mrs. PORTER. What is the question?

Senator McCARRAN. I asked you to lay your Communist card on the table.

Mrs. PORTER. That is not asking me a question. That is ordering me to do something.

Senator McCARRAN. You refuse?

Mrs. PORTER. I refuse to answer any question concerning the Communist Party on the basis of the fifth amendment.

Senator McCARRAN. Is there anything else?

Mr. SOURWINE. That is all.

Senator McCARRAN. That is all.

(Whereupon, at 12:25 p. m., a recess was taken until 2 p. m. of the same day.)

Senator McCARRAN. Do you solemnly swear the testimony you are about to give before the Internal Security Subcommittee of the Committee on the Judiciary of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VINCENT. I do.

TESTIMONY OF CRAIG S. VINCENT, SAN CRISTOBAL VALLEY RANCH, SAN CRISTOBAL, N. MEX.

Mr. SOURWINE. Will you please state your name and address, your business, or profession?

Mr. VINCENT. My name is Craig S. Vincent. I live at San Cristobal, N. Mex. I, together with my wife, operate a guest ranch.

Mr. SOURWINE. Is that the San Cristobal Valley Ranch?

Mr. VINCENT. Yes.

Mr. SOURWINE. When were you born, Mr. Vincent?

Mr. VINCENT. February 17, 1907.

Mr. SOURWINE. Where?

Mr. VINCENT. In Nevada, Mo.

Mr. SOURWINE. Were you ever employed by the United States Government?

Mr. VINCENT. Yes.

Mr. SOURWINE. It is possible I asked that question out of order, Mr. Chairman. Perhaps I should get the witness' academic background first.

You graduated from high school?

Mr. VINCENT. Grand Junction, Colo.

Mr. SOURWINE. June of 1925?

Mr. VINCENT. I think that is correct.

Mr. SOURWINE. You went to Stanford University?

Mr. VINCENT. I did.

Mr. SOURWINE. You received your A. B. degree there in June of 1929?

Mr. VINCENT. I think that is correct, sir.

Mr. SOURWINE. You thereafter went to Columbia University Law School?

Mr. VINCENT. For 2 years.

Mr. SOURWINE. From September 1929 to June 1931?

Mr. VINCENT. I think that is the correct date.

Mr. SOURWINE. Did you receive a degree there?

Mr. VINCENT. No.

Mr. SOURWINE. Thereafter you went to the Denver Law School?

Mr. VINCENT. Yes, I did.

Mr. SOURWINE. From September 1931 to June 1932?

Mr. VINCENT. Yes.

Mr. SOURWINE. And received an LL. B. degree there?

Mr. VINCENT. That is correct.

Mr. SOURWINE. In college you majored in political science?

Mr. VINCENT. Yes.

Mr. SOURWINE. Your minors were economics and history?

Mr. VINCENT. One of them economics, I remember. I don't remember whether the other was history or not.

Mr. SOURWINE. Did you ever practice law?

Mr. VINCENT. No.

Mr. SOURWINE. Did you ever take a bar examination?

Mr. VINCENT. Yes.

Mr. SOURWINE. Where?

Mr. VINCENT. In Denver, Colo.

Mr. SOURWINE. Did you pass?

Mr. VINCENT. No.

Mr. SOURWINE. That is the only effort you have made to seek admission to the bar?

Mr. VINCENT. That is right.

Mr. SOURWINE. You are married?

Mr. VINCENT. Yes.

Mr. SOURWINE. You have been married for about how long?

Mr. VINCENT. Yes; I am married.

Senator McCARRAN. The question is you have been married for about how long?

Mr. VINCENT. Presently since 1949.

Mr. SOURWINE. You say "presently." You mean this is your second wife.

Mr. VINCENT. That is right.

Mr. SOURWINE. Will you tell us, sir, what your wife's maiden name is, your present wife?

Mr. VINCENT. Jeannette Hill—well, her first name was Deborah; Jeannette.

Mr. SOURWINE. Your first marriage was terminated by death or divorce?

Mr. VINCENT. By divorce.

Mr. SOURWINE. What was your first wife's name?

Mr. VINCENT. Joyce Campbell.

Mr. SOURWINE. Where is your legal and voting residence?

Mr. VINCENT. In San Cristobal, N. Mex.

Mr. SOURWINE. You were formerly a legal and voting resident of Colorado?

Mr. VINCENT. That is right.

Mr. SOURWINE. Have you ever voted anywhere else other than in New Mexico and Colorado?

Mr. VINCENT. In Washington by absentee ballot.

Mr. SOURWINE. Absentee ballot was cast in Colorado?

Mr. VINCENT. Yes. I am not certain. I think I may have voted in New York. I don't remember whether I did or not.

Mr. SOURWINE. Now, have you been employed by the United States Government?

Mr. VINCENT. Yes.

Mr. SOURWINE. Will you tell us about that employment chronologically, sir?

Mr. VINCENT. To the best of my ability and recollection I will. It goes over a past period of dating back 20 years. I will try to do the best I can.

I was first employed as the director of National Reemployment Service for Colorado. At the same time I was a member of the State Legislature in Colorado.

Mr. SOURWINE. That was when?

Mr. VINCENT. Sometime in the spring or summer of 1933 I started my work.

Mr. SOURWINE. I have a memorandum here you were appointed July 17, 1933, as State director of the Employment Service.

Mr. VINCENT. I believe that is the correct date.

Mr. SOURWINE. Were you a dollar-a-year man at the start?

Mr. VINCENT. I was.

Mr. SOURWINE. I have a note here on November 1, 1933, you were promoted to \$250 a month. Is that right?

Mr. VINCENT. If you have the record there, I would like to——

Mr. SOURWINE. This is not a record, sir. This is only a note of certain information received over the telephone. I can't vouch for its accuracy.

Mr. VINCENT. About that amount. I don't remember exactly what my starting salary was.

Mr. SOURWINE. You resigned from that position, did you?

Mr. VINCENT. Well now, my recollection on that is a little bit hazy, for this reason: I went from Denver to Washington, as I recall, in 1935, to accept a position in the national office of the United States Employment Service. I don't remember whether I resigned my directorship or whether it was just terminated. But I did take a new position with the United States Employment Service.

Senator McCARRAN. Were you with the Government or the State of Colorado, in the first instance?

Mr. VINCENT. In the first instance, Senator, I was with the Federal Government, although after the Wagner-Peyser Act was passed, I also became at the same time the first director of the Colorado State Employment Service, to help establish that.

Mr. SOURWINE. You left Denver at about the end of January 1935; is that correct?

Mr. VINCENT. I was going to say February, but it was around that time, yes.

Mr. SOURWINE. I have again a note here that you resigned January 31, 1935.

Mr. VINCENT. It was about that time.

Mr. SOURWINE. You went to Washington?

Mr. VINCENT. Yes.

Mr. SOURWINE. With the national office?

Mr. VINCENT. Yes.

Mr. SOURWINE. What was your capacity there?

Mr. VINCENT. It is a little bit difficult for me to remember my exact capacity. I can't remember actually which job I did first. I know that I represented the United States Employment Service in what generally would be called fieldwork with the States, that is, the National Reemployment Service particularly, at that time.

Mr. SOURWINE. Now, did you go directly, I mean within a reasonably short time, to Washington after you left that position in Denver?

Mr. VINCENT. I went immediately.

Mr. SOURWINE. Again there is apparently a discrepancy in this note here. The note I have shows you as having been appointed to the National Employment Service, March 1, 1937, which was 2 years and 1 month after your resignation in Denver.

Mr. VINCENT. I think I can explain that. As I recall, there was a period of time in which I was on a payroll that was, the money for which was supplied by grants from the Carnegie Corp., which was a foundation, and the Spellman Foundation or Fund—I can't remember the exact name. That may be the reason for an intervening period of time there. I can't recall exactly when that was, when my salary came from that fund.

Mr. SOURWINE. You were all that time working for the Federal Government?

Mr. VINCENT. Yes. The United States Employment Service was given funds to conduct job studies in American industry. And I was in charge at one point of the fieldwork, engaged in the collection and making of job analyses in the major industries in the country.

Mr. SOURWINE. At any rate, you were employed by the National Employment Service in March of 1937; is that right?

Mr. VINCENT. March of 1937? I believe that is correct.

Mr. SOURWINE. You transferred under the reorganization plan of July 1939 to the Federal Security Agency?

Mr. VINCENT. The United States Employment Service was transferred. I don't remember what year it was.

Mr. SOURWINE. You went with it?

Mr. VINCENT. Yes, I did.

Mr. SOURWINE. Then did you transfer to War Shipping in June of 1942?

Mr. VINCENT. I don't remember the month that I transferred to War Shipping, but, as I recall, it was in the spring or the summer of 1942; I believe that is right.

Mr. SOURWINE. The date I have here is June 17. As Chief of the Section in the Domestic Division of War Shipping?

Mr. VINCENT. I don't remember the title. I remember what I did.

Mr. SOURWINE. You were a Section Chief, were you?

Mr. VINCENT. Yes, I was.

Mr. SOURWINE. You remained with War Shipping until December 31, 1945?

Mr. VINCENT. That is right.

Mr. SOURWINE. At which time you were separated due to a reduction in force?

Mr. VINCENT. Correct.

Mr. SOURWINE. At that time you were regional representative in New York?

Mr. VINCENT. I was, I think my—yes, I was regional representative of what was known as the recruitment and manning organization of the War Shipping Administration.

Mr. SOURWINE. Did you thereafter have any further employment with the Government of the United States?

Mr. VINCENT. No, I don't believe I did.

Mr. SOURWINE. What did you do after that? Did you remain in New York or leave New York?

Mr. VINCENT. I left New York I think in June.

Mr. SOURWINE. Of 1946?

Mr. VINCENT. I believe that is about the month I left New York. I returned to Colorado and took a major part in the campaign to elect John Carroll to Congress from Denver.

Mr. SOURWINE. And then?

Mr. VINCENT. And then—

Senator McCARRAN. That was in Denver, wasn't it?

Mr. VINCENT. Yes, it was. Well, in 1948—let me skip to 1948. I played a major part in the Progressive Party campaign in Denver.

Mr. SOURWINE. You weren't a candidate yourself, were you?

Mr. VINCENT. No, I was not.

Mr. SOURWINE. Who were your candidates that year?

Mr. VINCENT. Well, we supported Wallace and Taylor—I supported Wallace and Taylor for President.

Senator McCARRAN. I can't hear you.

Mr. VINCENT. I supported Wallace and Taylor. There were a few other candidates. I would hesitate to test my memory on who they were; there weren't many.

Mr. SOURWINE. That is all right. You were then in Colorado from mid-1946 until 1948, at least. How were you supporting yourself during that time?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I am sorry. Until I started to answer the first part of what I thought was going to be your question—I had a small business selling electrocardiograph machines.

Senator McCARRAN. In Denver?

Mr. VINCENT. Yes.

Senator McCARRAN. What was that business?

Mr. VINCENT. Well, it was just my own personal business, trying to sell those machines.

Mr. SOURWINE. Electrocardiograph machines. Now, did you continue in that line of business past 1948?

Mr. VINCENT. No, it wasn't even during 1948, as I recall it.

Mr. SOURWINE. It was up until about when?

Mr. VINCENT. I think the end of 1947. I am not quite certain about that.

Mr. SOURWINE. In 1948 was your political activity paid activity, or how were you supported?

Mr. VINCENT. I was supported primarily by one of my brothers at whose house I ate. And I got, I think, some expense money—not very much. I borrowed money.

Mr. SOURWINE. Then, after the political campaign was over, did you remain in Denver?

Mr. VINCENT. I can't remember in what month I went to Reno, Nev., to establish a residence and where I lived for a period of time at the end of which I obtained a divorce from my first wife.

Mr. SOURWINE. That was at or about the end of 1948?

Mr. VINCENT. Yes; it ran through the month, almost the month of January of 1949, too, as I recall.

Mr. SOURWINE. Then what did you do?

Mr. VINCENT. Then with my wife, present wife, we went to New Mexico.

Mr. SOURWINE. Did you marry her in Reno?

Mr. VINCENT. That is right.

Mr. SOURWINE. You went directly from there to New Mexico. Did you take over the San Cristobal Ranch right away?

Mr. VINCENT. Well, I would like to—your question doesn't elicit what you want.

Mr. SOURWINE. I am sorry. Please give the information that should go into the record.

Mr. VINCENT. My wife owned the ranch before we were married, had owned it for many years. We decided to make it a guest ranch, and did.

Mr. SOURWINE. It became a guest ranch then in 1949?

Mr. VINCENT. That is right.

Mr. SOURWINE. You have been operating it as such ever since?

Mr. VINCENT. Yes; that is right.

Mr. SOURWINE. I have here a photostat which purports to be a photostat of one of your prospectuses. I wonder if you could identify it as such.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. All right. I think that is it. I have an actual brochure with me—not in my pocket. I would be glad to present it to the committee.

Mr. SOURWINE. Is it similar to this [indicating]?

Mr. VINCENT. Well, it is in finished form. That looks like the copy.

Mr. SOURWINE. We would much rather have the real thing from you than this. If you will be good enough to offer it, I will ask the chairman that it be annexed to the master copy of the record at this point rather than asking it be included in the record.

Mr. VINCENT. May I look at that for just one moment when you have finished, Senator?

Senator McCARRAN. Yes.

Mr. SOURWINE. This is one of your ways of advertising the ranch, I take it?

Mr. VINCENT. Yes; we put out a brochure.

Mr. SOURWINE. You do that every year?

Mr. VINCENT. I am not certain we put a new one out every year.

Mr. SOURWINE. Is this the first one?

Mr. VINCENT. I don't believe so.

Mr. SOURWINE. You send something each year. Perhaps one year you will send the same one you sent the year before; is that right?

Mr. VINCENT. We have done that.

Mr. SOURWINE. Do you send that out to Occupant, Box So-and-So, or do you send it to a mailing list?

Mr. VINCENT. I would like to consult my counsel, please.

Mr. SOURWINE. Of course; at any time you wish.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I would like to inquire as to the purpose of this particular inquiry. It goes into my business.

Mr. SOURWINE. The committee is interested.

Mr. VINCENT. Well, Mr. Counsel—I guess you are the counsel for the committee?

Mr. SOURWINE. Yes.

Mr. VINCENT. I wired Senator Jenner upon receiving a telegraphic directive to be present here today, or, rather—today? Yes; today. And asked the purpose of this inquiry. I left without knowing it. I came in good faith, not knowing whether I was coming at my own expense, and at some real cost because our season is just starting, and without any time to prepare, particularly in view of the fact that I didn't know why I was coming.

Senator Jenner wired me, Senator McCarran, that I was to be asked about my service in the United States Government.

I would like very much to know the pertinency or the reasons for your questions about how we do our business at our ranch.

Mr. SOURWINE. Yes. There has been testimony before the Internal Security Subcommittee of the Senate with respect to the San Cristobal Ranch. You mean to indicate you are not familiar with that fact?

Mr. VINCENT. No. I have read newspaper reports of this.

Mr. SOURWINE. You know there has been testimony about your ranch?

Mr. VINCENT. That is right.

Mr. SOURWINE. You know there has been testimony that Communists have gathered there?

Mr. VINCENT. I know that a man that I can testify to that made that accusation before a committee.

Mr. SOURWINE. The point is, if that accusation is untrue, you are the best person in the world to deny it. Here is an opportunity. I asked the question about whether you sent this out to a mailing list because I think that question is pertinent to the subject of how the ranch is operated and whether it is or is not in fact operated as an adjunct of the Communist Party or for the purpose of the Communist Party.

I chose not to jump to the ultimate question, but to ask one of the questions underlying.

Mr. VINCENT. I am being presented with an accusation. Am I on trial?

Mr. SOURWINE. You are not on trial here and you are not being accused of anything.

Senator McCARRAN. No, sir.

Mr. SOURWINE. But the committee would be derelict in its duty, having you here and having received testimony with regard to certain alleged matters having taken place at your ranch, if you were not given an opportunity to testify with respect to them.

(At this point Mr. Vincent conferred with Mr. Branton.)

Senator McCARRAN. Now read the question.

(The question was read.)

Senator McCARRAN. That was referring to this photostatic copy [indicating].

Mr. VINCENT. In view of the explanation counsel has given us, the reason why the question has been asked, I don't desire and I am not going to engage in a debate as to the veracity of witnesses who have come before this committee. I don't want to not answer your questions. I came here to answer them in good faith, but my answer to that question is one which I shall have to—which I shall claim the privilege on, in view of the statements you have made, Mr. Counsel.

Mr. SOURWINE. You mean you decline to answer on the grounds that a truthful answer—

Senator McCARRAN. Just a minute. Let him take his own position. He has counsel here.

What is your answer? If you refuse to answer, why do you refuse to answer?

Mr. VINCENT. Yes, sir. My answer, Senator, is that I feel, in view of committee counsel's explanation as to the meaning of the question—

Senator McCARRAN. Counsel gave you no explanation as to the meaning of the question. He asked you if you had read where accusations had been made about your place. You said you had. He wanted to give you a chance to answer if you wanted to explain, if you wanted to.

Now the question is propounded to you. You may answer it or you may claim the privilege under the fifth amendment, if you wish. You are at liberty to do so.

Mr. VINCENT. I wish to claim my privilege under the fifth amendment.

Senator McCARRAN. You claim the privilege under the fifth amendment for the reason that if you were to answer it, it might tend to incriminate you?

Mr. VINCENT. My understanding of the—

Senator McCARRAN. I don't know what advice you have had before, and I don't propose to give you advice, because volunteered advice is not very well accepted. You have your counsel with you.

Mr. VINCENT. I think that is correct, Senator. I think inasmuch as I have my counsel I should seek my advice from him. I do wish to accept the privileges afforded me by the fifth amendment.

Senator McCARRAN. You are refusing to answer under the provision of the fifth amendment?

Mr. VINCENT. Yes, sir.

Mr. SOURWINE. Is the San Cristobal Ranch—

Senator McCARRAN. Is it your request to have this inserted in the record [indicating]?

Mr. SOURWINE. Annexed to the record.

Senator McCARRAN. It will be so annexed.

(The documents referred to were marked "Exhibits No. 248 and No. 249," and follow:)

EXHIBIT No. 248

LOS ANGELES 15, CALIF., May 29, 1953.

INTERNAL SECURITY SUBCOMMITTEE,
Senate Office Building, Washington, D. C.

GENTLEMEN: Enclosed is a copy of the brochure which was ordered produced in connection with the testimony of our client, Craig Vincent, held in Los Angeles on May 28.

Very truly yours,

MARGOLIS, McTERNAN & BRANTON,
By LEO BRANTON, Jr.

EXHIBIT No. 249

SAN CRISTOBAL VALLEY RANCH

welcomes guests from all countries and of all races and creeds. The Ranch is a part of the San Cristobal community. Our friends and neighbors have a rich and historic culture. Many of the families trace their roots back to the earliest Spanish and Mexican settlers.

The Ranch lies at the head of the San Cristobal Valley in northern New Mexico, 18 miles north of Taos, in the foothills of the Sangre de Cristo range, at an altitude of 7,900 feet. To the East the mountains rise another 5,000 feet into the deep blue New Mexico sky, while to the West the Rio Grande cuts its deep canyon through the desert. Nowhere have man and nature joined forces more successfully than they have in making Taos County so rich in culture, scenic beauty, and historical legend.

ACTIVITIES

Horseback riding along mountain trails.

Swimming in the dramatic setting of the Rio Grande Gorge, or at the Talpa Hot Springs pool. Trout fishing in the Rio Grande or in the small mountain streams. Breakfast cook-outs and overnight camping by the Red River, the Rio Hondo, and on the rim of the Rio Grande canyon.

Camping trips may be arranged to Latir Lakes, and Cabresto Lake.

Trips to the Indian Pueblo Dances, local fiestas, and other points of scenic or historical interest. Below is a Calendar of some of the spectacular Indian Dances and Spanish-American Fiestas that take place May through September.

SOCIAL EVENTS

Song and dance programs—featuring local artists.

Campfires, with supper and songs outdoors.

Community night, a social evening with our neighbors—a weekly event.

FOR THE UNSCHEDULED LEISURE HOURS

The library provides a warm and cheerful atmosphere for constructive relaxation, with its extensive collection of books, including a Southwest Corner, and recordings.

The loft has facilities for indoor games, including pingpong, and two pianos for the ambitious musicians.

Craft shop is available for interested persons.

SPANISH

An opportunity to learn some Spanish and to use what you already know.

TRANSPORTATION

May be obtained on air, railroad, and bus lines. There is busy service from Denver, Albuquerque, Raton, and Santa Fe to Taos, where guests with advance reservations are met without charge.

For those who travel by automobile there are good U. S. and State highways which lead within 3 miles of the Ranch. From Denver you may follow the "Old Trail" used by Kit Carson, through Walsenburg, Fort Garland, and San Luis. There are good roads to Albuquerque and Santa Fe from the East, West, and South. All of the routes are alive with scenic beauty.

CLIMATE

The climate is generally dry and the mountain air invigorating and healthful. Days are warm and bright and the nights are always cool, so that warm clothing is necessary.

May 3—Taos Pueblo, Corn Dance and Ceremonial Races.

June 13—Taos Pueblo, San Antonio Day.

June 15—Los Cordovas, San Isidro Feast, Spanish-American.

June 24—Taos Pueblo, Corn Dances.

—San Juan Pueblo, Annual Fiesta and Ceremonial Dances.

July 14—Cohiti Pueblo, Annual Fiesta and Corn Dances.

July 25, 26—Taos Pueblo, St. James Day and Corn Dances.
 —Taos Spanish Colonial Fiesta.
 Aug. 4—Santo Domingo Pueblo, Annual Corn Dance.
 Aug. 10—San Lorenzo Pueblo (Picuris), Ceremonial Dances.
 Aug. 12—Santa Clara Pueblo, Annual Fiesta and Dances.
 Sept. 6—San Ildefonso Pueblo, Harvest Dance.
 Sept. 28, 29—Taos, Annual Fiesta.
 Sept. 29, 30—Taos Pueblo, San Geronimo Fiesta.
 —Sunset Dances and Footraces.

CHILDREN'S PROGRAM

Full day supervision—from breakfast through dinner—for children from the age of 6 to 12. Activities include sports, swimming, crafts, music, indoor games. Special activities include visits to Pueblos, and overnight campouts.

ACCOMMODATIONS

1- and 2-room cabins with hot and cold running water. Family and smaller rooms in the Patio Building, where central showers and bathrooms are located. Electricity in all accommodations. Laundry facilities available.

MEALS

Are served informally in the attractive log dining room located in the Patio Building. The food is healthful and delicious.

CABINS FOR RENT

Four 3-room rustic cabins, equipped for housekeeping and fully furnished, are available from May 1. Rates from \$50 weekly for 4 persons, include utilities, use of ranch facilities, and participation in program.

RATES—WEEKLY

Single person: \$50, based on sharing a room, or \$60 for private room.
 Married couple: \$95.
 Children: 6 to 12, \$35; 3 to 5, \$25; under 3, \$10. No charge for babes in arms.
 Overnight and Daily Rates for those passing through. Special rates before June 15, and after Labor Day.
 Rates do not include Horseback riding. Nominal charges are made for trips in ranch cars. There is no charge for scheduled shopping trips to Taos.

RESERVATIONS

San Cristobal Valley Ranch can accommodate only a limited number of guests. To guarantee your reservation, please make it early. A deposit of \$10.00 with each reservation is required. For reservations or further information please write: Craig and Jenny Vincent, San Cristobal, New Mexico, Telephone: San Cristobal No. 2.

Mr. SOURWINE. My request was to have it annexed to the record, the copy of Mr. Vincent's that he has offered to give us of this year's prospectus.

Are you withdrawing your offer to let us have it?

Mr. VINCENT. I think I should, under the circumstances.

Senator McCARRAN. You are going to withdraw that offer and not let us have it?

Mr. VINCENT. Yes.

Mr. SOURWINE. I think in that case I will ask the chairman to request Mr. Vincent to produce that. He has stated he had it here with him.

Senator McCARRAN. The Chair will do that.

Mr. VINCENT. I think you misunderstood me. I said I didn't have it. I said I had a copy in the city.

Mr. SOURWINE. That is what I mean. I am sure a demand of that nature for production is just as effective as an actual subpoena duces tecum. We have established the existence of the document and the fact that it is in your possession. I am asking the Chair that you be instructed to furnish it to the committee.

Senator McCARRAN. I do so instruct you.

Mr. VINCENT. Yes, sir, Mr. Chairman.

Mr. SOURWINE. I then ask it be annexed to the record at this point.

Mr. VINCENT. How do you wish me to get it to you?

Mr. SOURWINE. In whatever way is most convenient to you. You can deliver it to your counsel and counsel will deliver it to the committee, if that is satisfactory, for the record.

Mr. BRANTON. The record doesn't show my appearance. I am Leo Branton, Jr., 112 West Ninth Street, Los Angeles.

Mr. SOURWINE. I overlooked that amenity—I am sorry—because you appeared as counsel for an earlier witness. Your face was familiar to me, although your name is not on the record.

Mr. BRANTON. I understand that.

Senator McCARRAN. That will be so done, do I understand?

Mr. BRANTON. At least we understand the order.

Senator McCARRAN. This will be inserted in the record. I will clear up the record now. This will be inserted in the record. If you want to produce a different one, all right. If you don't, all right. The witness has been requested to produce it.

Mr. SOURWINE. The committee's order is that it be produced?

Senator McCARRAN. Yes.

Mr. SOURWINE. I think the committee is entitled to know if the witness is assenting to that order. He asked how it would be arranged. I took that to mean assent.

Mr. BRANTON. I don't know whether at this time I want to advise him to do it or not. At least I want it understood—

Senator McCARRAN. It is very simple. The Chair can order its production at a specified hour tomorrow and we can sit here and meet and have it produced at that time, if the witness prefers.

Mr. BRANTON. I understood.

Mr. SOURWINE. I think we should know whether he is going to make arrangements, for his convenience, to deliver it to you and send it through the mail.

Senator McCARRAN. He is under no compulsion. If the witness doesn't desire to do that, the Chair may wish to fix a date for its production.

Mr. BRANTON. There is no use quibbling. We will see you get it.

Mr. SOURWINE. It is a relatively unimportant matter.

Senator McCARRAN. Let's proceed.

(The document referred to was subsequently received by the committee and appears as exhibit No. 249 on p. 753.)

Mr. SOURWINE. Is the San Cristobal ranch operated as an adjunct of the Communist Party of the United States of America?

Mr. VINCENT. Mr. Chairman—

Senator McCARRAN. Answer the question or else take your privilege.

Mr. VINCENT. I shall have to take my privilege.

Senator McCARRAN. You don't have to take the privilege. Your counsel should advise you what to do. I don't want to interject—

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I must take my privilege under the fifth amendment.

Senator McCARRAN. You refuse to answer under the provisions of the fifth amendment because the answer might tend to incriminate you? That is your position? I am telling you if you want to do it, all right.

Mr. VINCENT. Need I repeat that statement when I refuse?

Senator McCARRAN. Yes, sir, I would. Your counsel should advise you if you want the protection, because you can be protected one way and you can't be protected another.

Mr. BRANTON. Could I ask this question: Since the witness has already stated, as to one answer, that he declines to answer the question on the grounds of the fifth amendment, could it be understood hereafter when he declines to answer it is on the same grounds, if he does so decline?

Senator McCARRAN. No. We have had that matter up and it is not a good record and it isn't satisfactory. He should take his privilege, if he wants to take it, and state it on each occasion.

Mr. BRANTON. Very well.

Senator McCARRAN. He should not say, "I refuse to answer on the same grounds."

Mr. VINCENT. I understand, Mr. Chairman.

Senator McCARRAN. Remember the fifth amendment covers several things.

Mr. BRANTON. I understand the fifth amendment thoroughly, very thoroughly.

Mr. VINCENT. Mr. Chairman, as a matter of my convenience—and I hesitate to ask—is it all right if I have a cigarette or not?

Senator McCARRAN. Surely. You can have a cigarette or cigar or whatever you like.

Mr. VINCENT. Will you join me?

Senator McCARRAN. No; I can't join you. I don't smoke; haven't smoked for years.

To clear your position, I want you to be protected here. I think it well for you to listen to that question again.

Mr. VINCENT. Yes. Would you repeat the question to me again, please?

Senator McCARRAN. Then see whether you really want to invoke the fifth amendment. Remember this: As we understand, this is your home where you live, the home of yourself and your wife.

Mr. VINCENT. That is correct.

Senator McCARRAN. Listen to the question that addresses itself to that home.

Mr. VINCENT. I shall.

(The question was read.)

Senator McCARRAN. Now, what is your answer?

Mr. VINCENT. Because of the—

Senator McCARRAN. Not because of anything. What is your answer.

Mr. VINCENT. I have to decline to answer that under my privilege under the fifth amendment.

Senator McCARRAN. All right. Where is this ranch located, please?

Mr. VINCENT. In San Cristobal, N. Mex., Senator.

Senator McCARRAN. In what county is that?

Mr. VINCENT. In Taos County.

Senator McCARRAN. How far from some other place?

Mr. VINCENT. Approximately 18 miles from Taos, N. Mex.

Senator McCARRAN. About how far from Phoenix?

Mr. VINCENT. I don't know.

Mr. SOURWINE. Do you know Maurice E. Travis?

Senator McCARRAN. The question is, Do you know Maurice E. Travis?

Mr. VINCENT. I would like to consult my counsel. This involves the name of a person.

Senator McCARRAN. All right.

Mr. SOURWINE. Certainly.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Is the question, Do I know—

Mr. SOURWINE. Yes. The question is, Do you know.

Mr. VINCENT. He has been named as a Communist.

Senator McCARRAN. Now listen. The question is do you know. It is answerable with a yes or no. There is no use going into the other, or if you want to claim your privilege—

Mr. VINCENT. I would like very much to answer—

Senator McCARRAN. Do you know?

Mr. VINCENT. In my own way.

Senator McCARRAN. Yes or no.

Mr. VINCENT. Senator, I shall have again to invoke my privilege under the fifth amendment.

Senator McCARRAN. On the ground that your answer might tend to incriminate you?

Mr. VINCENT. That is correct.

Mr. SOURWINE. Has Mr. Maurice E. Travis been at San Cristobal ranch?

Mr. VINCENT. May I just say "the same answer"?

Senator McCARRAN. You claim your privilege or else answer. I just can't carry you any longer. I don't want to inject myself into—

Mr. VINCENT. I understand your point. I decline, Mr. Chairman, to answer the question on the grounds afforded me by the fifth amendment to the Constitution.

Senator McCARRAN. All right.

Mr. SOURWINE. Are you a member of the Communist Party?

Mr. VINCENT. Mr. Chairman, I decline to answer that question on the grounds afforded me by the fifth amendment.

Senator McCARRAN. In other words, your answer might tend to incriminate you; is that it? Is that what you want the record to show?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I want the record to show that I am being queried about my associations, my political affiliations, and about an individual who has been accused and named as being a Communist, and I feel that I have to decline to answer such questions about my—

Senator McCARRAN. No. You are asked if you are a member of the Communist Party.

Mr. VINCENT. Yes; that is about my associations.

Senator McCARRAN. If you weren't a member, you could say, "No," and that would settle it.

Mr. VINCENT. That is not my interpretation of my privilege.

Mr. SOURWINE. Counsel will not prompt the witness, please.

Mr. Chairman, I should like to say this: With the full understanding it is not binding on the witness and not intended to be, I want the record to show he has been told this: In order properly to claim the fifth amendment it is necessary there be an offense for which you could be convicted, and you must have in your mind the fear, in good faith, that a truthful answer to the question might tend at least to form a link in a chain leading to that possible conviction.

You are perfectly at liberty to consult with your counsel, whether or not that is true. I don't intend to argue about that. I wanted the record to show you had been told that.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. SOURWINE. There is no question pending. When you conclude your conference with counsel, I will ask you a question, if I may.

Mr. VINCENT. Yes.

Mr. SOURWINE. Is your present wife a member of the Communist Party, to your knowledge?

Mr. VINCENT. I decline to answer that question on my privileges under the fifth amendment, Mr. Counsel.

Senator McCARRAN. What is the extent in acreage or area of this San Cristobal Ranch?

Mr. VINCENT. I think we have about 160 acres, Senator.

Senator McCARRAN. You hold out inducement to those who would come there for recreation, pleasure; is that right?

Mr. VINCENT. Yes.

Senator McCARRAN. It is in what is known as San Cristobal Valley?

Mr. VINCENT. Yes; it is.

Senator McCARRAN. This is your home that you are speaking about?

Mr. VINCENT. Yes; my wife and son, my wife and my wife's son, adopted son, live there.

Senator McCARRAN. Go ahead.

Mr. SOURWINE. Do you know, sir, that the Communist Party in Denver, Colo., at a meeting on March 17, 1950, decided that the San Cristobal Valley Ranch would be operated for the benefit of the Communist Party and all the proceeds derived therefrom would be at the disposal of the Communist Party?

Mr. VINCENT. I have to decline to answer that question, Mr. Chairman, on the grounds of my privileges under the fifth amendment.

Senator McCARRAN. The Chair instructs you to answer the question.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Mr. Chairman, could I have that question read back?

Senator McCARRAN. Yes.

Mr. VINCENT. The one I declined to answer.

Senator McCARRAN. This last one?

Mr. VINCENT. And you just instructed me to answer.

Senator McCARRAN. Yes.

Mr. VINCENT. Yes, please.

(The question was read.)

Mr. VINCENT. I would like to consult my counsel.

Senator McCARRAN. All right.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Mr. Chairman—

Senator McCARRAN. You understand the question?

Mr. VINCENT. Yes; I do. I decline to answer the question under the privileges afforded me by the fifth amendment, because I think an answer might tend to incriminate me or be a link in a chain that could.

Senator McCARRAN. All right.

Mr. VINCENT. Mr. Chairman, I would like to say, if I may, that any questions with regard—

Senator McCARRAN. I don't care to hear it.

Mr. VINCENT. With regard to the Communist Party—

Senator McCARRAN. You have taken your privilege and you are entitled to it. Were you in Denver on that date?

Mr. SOURWINE. March 17, 1950.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I decline to answer that question, too, Mr. Chairman.

Senator McCARRAN. Was your wife in Denver on that date?

Mr. VINCENT. I decline to answer that, too, all on the grounds afforded me by the fifth amendment.

Senator McCARRAN. Were you a delegate to or were you in attendance on the convention of the Communist Party or any meeting of the Communist Party at Denver on the date mentioned?

Mr. VINCENT. I decline to answer the question on the grounds afforded me by the fifth amendment.

Senator McCARRAN. All right.

Mr. SOURWINE. Do you know Clinton Jencks?

Mr. VINCENT. I must also decline to answer that question on the grounds afforded me by the fifth amendment.

Mr. SOURWINE. Do you know Harvey Matusow?

Mr. VINCENT. I must decline to answer your question about Mr. Matusow, too, on the grounds afforded me by the fifth amendment.

Mr. SOURWINE. Do you know any of the officials of the Mine, Mill and Smelter Workers Union—the International Union of Mine, Mill and Smelter Workers?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Will you read the question back? Is it all right for me to have it read back?

Senator McCARRAN. Surely.

(The question was read.)

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I must decline to answer.

Mr. SOURWINE. You mean the bare fact of meeting any of the officials of a union might tend to incriminate you; is that your position?

Mr. VINCENT. You are asking me a question about a union that has been brought before the former committee headed by Senator McCarran, and I must decline to answer that question on the grounds afforded me by the fifth amendment.

Mr. SOURWINE. Did you communicate with the People's World after you had been summoned to appear before this committee, to advise that publication of the fact you had been so summoned?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Mr. Chairman, I have to decline again on the grounds of the fifth amendment.

Senator McCARRAN. You understand the question?

Mr. VINCENT. Yes; I did.

Senator McCARRAN. When were you subpoenaed to appear; do you remember the date?

Mr. VINCENT. May I refer to this [indicating]?

Senator McCARRAN. Yes.

Mr. VINCENT. To the best of my knowledge, because my wife took the telephone call from the telegraph office in Taos, this was sent, I think, from Washington, D. C., by Senator Jenner at 3:53 p. m., on Monday, I believe, and when my wife received it over the telephone at about, oh, around 3:30 our time, which is mountain time. I believe that is approximately correct.

Senator McCARRAN. What is the name of that publication?

Mr. SOURWINE. Daily People's World.

Senator McCARRAN. Do you know that publication, the Daily People's World? Have you ever seen it?

Mr. VINCENT. Is the question whether I have ever seen it?

Senator McCARRAN. Yes. Have you ever seen it?

Mr. VINCENT. I hope I may say this, Mr. Chairman—you may cut me off if you don't want me to—

Senator McCARRAN. There couldn't be any crime in your seeing it.

Mr. VINCENT. It seems to me we are getting into the question of what I read, or we could, at least, what publications I read.

Senator McCARRAN. Have you ever seen it?

Mr. VINCENT. This, Mr. Chairman, I feel has no end. I think under our Constitution—

Senator McCARRAN. You are just playing with the committee. That is all you are doing.

Mr. VINCENT. No, I am not playing with the committee. I came here in good faith.

Senator McCARRAN. If you ever saw that paper, all you have to do is say so. There is no crime in that. You could look at that wall. There is no crime in that. The paper could be the wall. There is no crime in that.

Mr. BRANTON. Some people have made crimes of it.

Senator McCARRAN. I won't argue this with you.

Do you know it is printed? Do you know the name of the paper? Did you ever hear of it before?

Mr. VINCENT. Yes.

Senator McCARRAN. A Communist paper, isn't it? You know it to be a Communist publication?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I must decline to answer that question, Mr. Senator, on the grounds of the fifth amendment, in view of the fact that paper has been labeled "Communist."

Senator McCARRAN. After you were subpoenaed who, if anyone, did you tell you had been subpoenaed?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Excuse me. Just how was the question worded?

(The question was read.)

Mr. VINCENT. This gets into the question of my right to talk. If you insist on an answer of knowing who I told this to, I will try to recall.

Senator McCARRAN. You will what?

Mr. VINCENT. I will try to recall who I told it to.

Senator McCARRAN. All right.

Mr. VINCENT. I told my wife or, rather, she told me first.

Senator McCARRAN. You didn't have to tell her.

Mr. VINCENT. I told my boy. I told the people who are working at the ranch so they could continue to do the things that I was going to do. I remember telling them.

Oh, yes, one other person. And I told a reporter on El Crepusculo, which is the weekly paper of Taos County.

Mr. SOURWINE. Is that a complete answer to the Senator's question, to the best of your recollection?

Mr. VINCENT. To the best of my recollection, it is.

Mr. SOURWINE. Any of those persons which you have named connected in any way with the Daily People's World?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I must decline to answer that question under the fifth amendment, because of the newspaper and its characterization in certain places.

Senator McCARRAN. What newspaper?

Mr. VINCENT. The one that counsel—

Senator McCARRAN. The Daily People's world?

Mr. VINCENT. Yes.

Senator McCARRAN. Do you have the Daily People's World out at San Cristobal Ranch? Does it come there?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Again, because it involves the publication which you named, I think you named the People's World—

Senator McCARRAN. Daily People's World.

Mr. VINCENT. Daily People's World. I must decline under my fifth amendment privileges.

Senator McCARRAN. Because by mentioning it as being out there at San Cristobal Ranch you might tend to incriminate yourself, is that the idea?

Mr. VINCENT. I am relying upon the fifth amendment part of our Constitution as—

Senator McCARRAN. The fifth amendment is to protect one from testifying against himself. Now, would there be anything against you in that paper being out there?

Mr. VINCENT. Well, this paper has been named—

Senator McCARRAN. That doesn't incriminate you, does it?

Mr. VINCENT. Well, it might.

Senator McCARRAN. You are not connected with the paper, are you?

Mr. VINCENT. My feeling—

Senator McCARRAN. You don't publish the paper, do you?

Mr. VINCENT. My belief is that it might. And that is why I must refuse to answer, Senator.

Senator McCARRAN. You have nothing to do with the publication of the paper, have you?

Mr. VINCENT. Again I think I must decline to answer the questions—

Senator McCARRAN. Isn't it true?

Mr. VINCENT. On the grounds of the fifth amendment.

Senator McCARRAN. Isn't it true? Remember you are under oath now.

Mr. VINCENT. Yes, I do remember now.

Senator McCARRAN. You are responsible under your oath.

Mr. VINCENT. Yes, sir.

Senator McCARRAN. Isn't it true that the San Cristobal Ranch is maintained by the Communist Party of America as a place of indoctrination of communism in America? Isn't that true, and don't you know it to be true, and under your oath can you deny it?

Mr. VINCENT. I think, Senator, you are accusing me.

Senator McCARRAN. I am not accusing you at all. I am just asking you a question.

Mr. VINCENT. I think then you are making an assumption.

Senator McCARRAN. Just answer the question "Yes" or "No."

Mr. VINCENT. I will decline to answer the question, Mr. Chairman, on the grounds of the fifth amendment.

Senator McCARRAN. All right. Now, what part of the fifth amendment do you apply to that?

Mr. VINCENT. It might tend to incriminate me, sir.

Mr. SOURWINE. Do you know Henry Collins?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I must decline, Mr. Counsel, to answer your question, excepting in giving my answer as relying upon the fifth amendment. I might tend to incriminate myself.

Mr. SOURWINE. Do you know Henry Wallace?

Mr. VINCENT. Who?

Mr. SOURWINE. Henry Agar Wallace.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Are you talking about the Henry Wallace who was Vice President of the United States?

Mr. SOURWINE. Yes.

Mr. VINCENT. Yes—just a moment.

Mr. SOURWINE. That wasn't your answer?

Mr. VINCENT. No. I just wanted to confirm the question.

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. Yes, I know him, Mr. Wallace.

Mr. SOURWINE. Were you ever a member of the National Committee of American-Soviet Friendship?

Mr. VINCENT. I must decline under my privilege of the fifth amendment to answer the question.

Mr. SOURWINE. Were you ever a member of the board of directors of the National Committee of American-Soviet Friendship?

Mr. VINCENT. I must decline again for the same reason.

Mr. SOURWINE. Were you a sponsor of a dinner in honor of Henry Wallace in September of 1949?

Mr. VINCENT. I don't remember. September of 1949?

Mr. SOURWINE. Yes.

Mr. VINCENT. I don't remember.

Mr. SOURWINE. Were you a member of the National Wallace for President Committee?

(At this point Mr. Vincent conferred with Mr. Branton.)

Mr. VINCENT. I don't actually remember, Mr. Counsel.

Mr. SOURWINE. Were you a member of the American League for Peace and Democracy?

Mr. VINCENT. I must decline to answer that question, Mr. Chairman, under the privileges afforded me by the fifth amendment.

Mr. SOURWINE. Were you ever secretary of the Washington Industrial Union Council, CIO?

Mr. VINCENT. Yes; I was.

Mr. SOURWINE. When was that?

Mr. VINCENT. Now, I don't remember the exact time I was a secretary.

Mr. SOURWINE. Was that while you were in Washington, D. C.?

Mr. VINCENT. Yes; it was.

Mr. SOURWINE. Around 1941?

Mr. VINCENT. That is close. Have you something that could refresh my mind?

Mr. SOURWINE. I am sorry. That is the best I can do, is to mention 1941.

Mr. VINCENT. Well, I was a secretary at one time for a short time. Now, I can't remember the exact date; I don't remember.

Mr. SOURWINE. Did that organization have any Communist connections, to your knowledge?

Mr. VINCENT. Mr. Chairman, I again must decline to answer the question under the grounds of the fifth amendment.

Mr. SOURWINE. While you were secretary of the Washington Industrial Union, CIO, did you take orders from the Communist Party?

Mr. VINCENT. I must decline to answer the question under the privileges of the fifth amendment, Mr. Counsel.

Senator McCARRAN. Now, I hope you fully realize that if you had not taken orders from the Communist Party all you had to do was to say no.

Mr. VINCENT. Senator McCarran—

Senator McCARRAN. You realize that?

Mr. VINCENT. You are making an accusation.

Senator McCARRAN. No; I am not making an accusation. All you had to do was acquit yourself by saying no.

Mr. BRANTON. One doesn't acquit oneself—

Senator McCARRAN. Just a moment.

Mr. BRANTON. I have advised my client as to his rights.

Senator McCARRAN. I am not talking to you.

Mr. BRANTON. You can't imply guilt that way. If you understood the fifth amendment you would know that a refusal to answer does not imply guilt.

Senator McCARRAN. I understand the fifth amendment very well.

Mr. BRANTON. If you understood it you would know that—

Senator McCARRAN. I understood it very well before you were born.

Mr. BRANTON. Then you wouldn't—

Senator McCARRAN. The Communists don't want it understood.

Mr. SOURWINE. I have no more questions, Mr. Chairman.

Senator McCARRAN. Are you a Communist now, member of the Communist Party of America now?

Mr. VINCENT. Mr. Chairman, again respectfully, sir, but again—

Senator McCARRAN. Thank you for the respect.

Mr. VINCENT. I must decline to answer your question under the fifth amendment.

Senator McCARRAN. You have a Communist card in your pocket right now, haven't you?

Mr. VINCENT. Mr. Chairman—

Senator McCARRAN. You are under oath. Will you tell me whether or not you have?

Mr. VINCENT. Would you care to take my place and testify I had?
 Senator McCARRAN. Yes, I would testify I didn't have.

Mr. BRANTON. Would you sit here under oath and testify he has a card in his pocket?

Senator McCARRAN. If I were in your place, I would say I have not very quickly.

Mr. VINCENT. Mr. Chairman—

Senator McCARRAN. I would clear myself very quickly.

Mr. VINCENT. Mr. Chairman, would you care to take my place and testify I had, that is, if you wish to take my place?

Senator McCARRAN. I wouldn't take your place for anything in the world.

Mr. VINCENT. That makes it pretty mutual, with reference to the person and not your office.

Senator McCARRAN. That is all.

Mr. BRANTON. Is this witness excused from the subpoena?

Senator McCARRAN. Are you through with him?

Mr. SOURWINE. Yes.

Mr. BRANTON. May I ask if the witness will be reimbursed for his travel expenses to come here?

Mr. SOURWINE. Yes.

Mr. BRANTON. How will he be reimbursed?

Mr. SOURWINE. Are you in urgent need of the money? The normal method of reimbursement is by voucher. We had one witness who was in urgent need of money and I advanced it personally.

Mr. VINCENT. I wouldn't ask you to do that. I would like to have a voucher.

Mr. SOURWINE. The normal procedure is if you will tell me the amount the voucher will be sent to you from Washington. It is a little cumbersome. They make out the voucher and send it to you.

Senator McCARRAN. Let the record show that we are now closing the hearing in Los Angeles and it will be taken up at the call of the Chair.

(Whereupon, at 5 o'clock p. m., Thursday, May 28, 1953, the hearing in the above matter was adjourned.)

The CHAIRMAN. Two or three inquiries have been made of me in regard to a statement appearing in this morning's press, concerning an outstanding physicist in the country, and I will ask the reporter to read to the press my statement in regard to this.

(The reporter read the chairman's statement as follows:)

My simple comment would be this: It is the function of the Internal Security Subcommittee to gather evidence of educators' membership in the Communist Party, which the record amply shows is directed from Moscow and is designed to deprive this country of academic freedom, the right to free inquiry, and the right to pursue scientific research.

In connection with these hearings on the extent of subversion in the educational process of the United States, we have called in 85 educators, who were not able to deny under oath their membership in the Communist organization, on the grounds that their answers might incriminate them.

The subcommittee shall continue its hearings, and in a short time expects to submit an interim report on its findings to date.

The CHAIRMAN. We will be adjourned.

(Whereupon, at 2:35 p. m. the subcommittee recessed, subject to call.)

INTERLOCKING SUBVERSION IN GOVERNMENT DEPARTMENTS

TUESDAY, JUNE 16, 1953

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL
SECURITY ACT AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to call, at 11:40 a. m., in the caucus room, Senate Office Building, Senator William E. Jenner (chairman of the subcommittee) presiding.

Present: Senators Jenner, Welker, Butler, and Smith.

Present also: Robert Morris, subcommittee counsel; Benjamin Mandel, director of research; and Robert C. McManus, staff member.

The CHAIRMAN. The committee will come to order. Call the first witness.

Mr. MORRIS. Mr. Wolff, Milton Wolff. Is Mr. Milton Wolff here, please?

The CHAIRMAN. Mr. Wolff, will you be sworn to testify?

Mr. WOLFF. Yes. I would like to make a request first, that this display of cameras and so on, that they not be used while I testify.

The CHAIRMAN. If you request the cameras then will not be put on you, but they may be put on as far as the committee is concerned, the room and the general hearing.

Do you swear that the testimony you give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WOLFF. I do.

TESTIMONY OF MILTON WOLFF, NEW YORK, N. Y.

The CHAIRMAN. Will you state your full name to the committee?

Mr. WOLFF. Milton Wolff.

The CHAIRMAN. Where do you reside, Mr. Wolff?

Mr. WOLFF. At present, I reside in New York, New York City. I am subletting a place at 49 West 28th Street.

The CHAIRMAN. And what is your business or profession?

Mr. WOLFF. I am a painter.

The CHAIRMAN. Mr. MORRIS, you may proceed with the questioning.

Mr. MORRIS. Mr. Wolff, you gave another address to the committee in executive session as your residence. What was that other address?

Mr. WOLFF. Since the address that I have now, I am about to move from there. I gave 23 West 26th Street, which is the address of the

Veterans of the Abraham Lincoln Brigade, of which I am national commander.

Mr. MORRIS. So you are the national commander of the Veterans of the Abraham Lincoln Brigade?

Mr. WOLFF. That is right.

Mr. MORRIS. And you qualified for membership, and being an officer of that organization, by your service in Spain; is that right, Mr. Wolff?

Mr. WOLFF. That is right.

Mr. MORRIS. When did you go to Spain?

Mr. WOLFF. Before I answer that question, I would like in this open hearing to point out, as I did in the executive session, that my organization and myself as national commander were served a petition by the Attorney General to appear before the Subversive Activities Control Board. This petition contained a number of allegations that deal with questions such as this one you are asking me now.

It is my opinion that I am being put in an unfair position by being asked to answer these questions which are raised in the allegation prior to the hearing that I am entitled to before the Board and I again ask your opinion of whether it is permissible for me to proceed in this direction and whether the Attorney General concurs in this opinion.

Mr. MORRIS. You are going to give truthful answers to us as well as the Subversive Activities Control Board, are you not, Mr. Wolff?

Mr. WOLFF. That is right, but it is my understanding that it is not necessary for me to give these answers prior to my appearance before the Control Board, since this would give the Attorney General's office an advantage over us that we do not enjoy in this respect with them in the hearing.

The CHAIRMAN. I am sure the Attorney General's office would not take advantage of anyone and I am sure this committee will not take advantage of anyone. All we want are truthful answers and I am sure that will not jeopardize you in any way.

You may proceed with the questioning, Mr. Morris.

Mr. MORRIS. Mr. Wolff, you served in the Office of Strategic Services during the war, did you not?

Mr. WOLFF. Yes, I did.

Mr. MORRIS. Will you give us the circumstances leading up to your assignment with the Office of Strategic Services?

Mr. WOLFF. Well, briefly, I enlisted in the Army. I volunteered in 1942, in the Infantry. Roughly, from 1942 to 1944, I served in various branches of the Armed Forces, most of which were not connected with the Infantry. I made application for transfer to the Infantry. I also made application for transfer to the Office of Strategic Services, some time in 1944, I believe, to the best of my knowledge, since I have no records with me on that particular subject, when I was in Burma, and immediately after the Mytikana campaign.

Mr. MORRIS. What campaign? Will you spell that for the reporter?

Mr. WOLFF. M-y-t-i-k-a-n-a probably, while I was in Burma, and immediately after this campaign my transfer came through, through regular channels and I was assigned to OSS in Italy.

Mr. MORRIS. In Italy?

Mr. WOLFF. That's right.

Mr. MORRIS. Were you a member of the Communist Party at that time, Mr. Wolff?

Mr. WOLFF. I refuse to answer that question on the first grounds I stated and also on the first and fifth amendments.

The CHAIRMAN. This committee, of course, recognizes your refusal to not answer the question under the fifth amendment of the Constitution, that your answer might tend to incriminate you, but we do not recognize your right to refuse to answer under the first amendment.

Mr. WOLFF. Well, nevertheless, I would like to include that.

The CHAIRMAN. That is your privilege.

Mr. MORRIS. Mr. Wolff, have you had training of any kind under foreign Communists?

Mr. WOLFF. I refuse to answer that question on the grounds of the fifth amendment.

Senator SMITH. That is to say that it might tend to incriminate you if you answered that question?

Mr. WOLFF. Unfortunately, that's the implication that will be put on it. However, that is not the motivation for my standing on this amendment. Nevertheless, I stand on it.

Mr. MORRIS. You know when you invoke that privilege, you are affirming under oath that to give a true answer to that question you would be putting into the record facts which would lead to your indictment, at least form a link in a series that would lead to your conviction for a crime? Do you realize the significance of that, Mr. Wolff?

Mr. WOLFF. I also recognize the spirit of the amendment which was incorporated in the Bill of Rights to protect the innocent as well as the guilty.

Senator SMITH. I do not think the answer is responsive to the question.

The CHAIRMAN. He said "also." He acknowledged the answer to the question by saying "also".

Mr. MORRIS. In connection with your service in Spain, Mr. Wolff, did you serve under Soviet officers?

Mr. WOLFF. I'll invoke the fifth amendment on the same grounds.

Mr. MORRIS. Did you receive training from Soviet officers?

Mr. WOLFF. I'll stand on the fifth amendment on this question.

Mr. MORRIS. Did you serve under the command of a Lieutenant Cole Dumont, a French Communist?

Mr. WOLFF. I will refuse to answer on the grounds of the fifth amendment.

Mr. MORRIS. Were you trained by a man by the name of Vladimir Copic, C-o-p-i-c?

Mr. WOLFF. I'm invoking the fifth on that.

Mr. MORRIS. Did you serve under General Kleber, K-l-e-b-e-r? I think he was a general.

Mr. WOLFF. If you're not sure what he was, I'm not going to answer.

Mr. MORRIS. A military man named Kleber.

Mr. WOLFF. All these questions are too vague and I'll refuse to answer on the fifth.

Mr. MORRIS. That one may be vague, but the others weren't.

Mr. WOLFF. They are to me.

Mr. MORRIS. If you don't know these people and if you weren't trained by them, just say so.

The CHAIRMAN. You just say "No, I don't know them, I have never heard of them." All we want is the truth.

Mr. WOLFF. I'll stand on the fifth amendment.

The CHAIRMAN. That is a different answer entirely.

Mr. MORRIS. Mr. Chairman, section 20 of the Subversive Activities Control law provides in subsection (5) that—

any person who has knowledge of or who has received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a government of a foreign country or of a foreign political party, unless such knowledge, instruction, or assignment has been acquired by reason of civilian, military, or police service with the United States Government, the governments of the several States, their political subdivisions, the District of Columbia, the Territories, the Canal Zone, or the insular possessions, or unless such knowledge has been acquired solely by reason of academic or personal interest not under the supervision of or in preparation for service with the government of a foreign country or a foreign political party or unless, by reason of employment at any time by an agency of the United States Government having responsibilities in the field of intelligence, such person has made full written disclosure of such knowledge or instruction to officials within such agencies, such disclosure has been made a matter of record in the files of such agency, and a written determination has been made by the Attorney General or the Director of Central Intelligence that registration would not be in the interest of national security.

Mr. WOLFF. Would you repeat that section that is under and so forth?

The CHAIRMAN. Section 20.

Mr. MORRIS. Have you registered under the provision of this act?

Mr. WOLFF. I have not even registered under the provisions of any act of any Government bureau.

Mr. MORRIS. In the face of the fact you have had service in a foreign country and served under a foreign officer?

Mr. WOLFF. I answered that question.

Mr. MORRIS. By refusing to answer.

Mr. WOLFF. That's right.

Mr. MORRIS. And you will not tell us—

Mr. WOLFF. I answered it as it stands in the record there. I admitted that I served in Spain I believe.

The CHAIRMAN. That is right. The record will speak for itself.

Mr. MORRIS. While you were a member of the Office of Strategic Services, did you meet with foreign Communists?

Mr. WOLFF. I beg your pardon?

Mr. MORRIS. Did you meet with foreign Communists?

Mr. WOLFF. I refuse to answer that question on the grounds of the fifth amendment.

Mr. MORRIS. At any time, did you discuss classified United States Government secrets with foreign Communists?

Mr. WOLFF. These questions are patented, and ridiculous.

Senator WELKER. What was that answer?

Mr. WOLFF. I stand on the fifth. I mean obviously these questions are ones if Mr. Morris or any other member of the committee had information to that effect that I did or did not would not be asking the question, but would be acting on it.

However, I refuse to answer the question on the grounds of the fifth amendment.

Mr. MORRIS. You mean you cannot answer with a denial in the record as to that question, Mr. Wolff?

Mr. WOLFF. I still stand on the fifth amendment.

Mr. MORRIS. Have you ever committed an act of espionage against the United States Government?

Mr. WOLFF. I will stand on the fifth amendment on this question.

The CHAIRMAN. Are you a member of the Communist Party now?

Mr. WOLFF. I refuse to answer that question on the first and fifth amendments.

Senator WELKER. As of this moment, are you a member of an espionage ring seeking to damage the Government of the United States?

Mr. WOLFF. The purpose of that question can only be to get me to invoke the first and fifth, which I will do, but obviously it was only for that purpose and not to elicit any positive information.

Senator WELKER. Are you a member of any espionage ring as of this moment against the interests of the Government of the United States?

Mr. WOLFF. I stand on the fifth amendment on this question.

The CHAIRMAN. Mr. MORRIS.

Mr. MORRIS. Mr. Wolff, you have been in the Workers School in New York, have you not? You have been a speaker at the Workers School—that is a Communist training school in New York—have you not, Mr. Wolff?

Mr. WOLFF. I refuse to answer that on the grounds of the fifth amendment.

Mr. MORRIS. You have been active in a joint conference against intervention in Greece and Turkey, have you not? That's in 1947. This was a committee formed to protest the intervention on the part of the United States Government in Greece and Turkey.

Mr. WOLFF. I don't remember that.

Mr. MORRIS. You do not remember that?

Mr. WOLFF. No, sir.

Mr. MORRIS. You have been national organizational director of the Civil Rights Congress?

Mr. WOLFF. Yes; I have.

Mr. MORRIS. How long have you served in that capacity?

Mr. WOLFF. I don't remember the exact length of time.

Mr. MORRIS. You have attended New York State conventions of the Communist Party and the Young Communist League?

Mr. WOLFF. I refuse to answer that on the grounds of the fifth amendment.

Mr. MORRIS. You have been a contributor to a publication known as Weekly Review, in the early forties; specifically on November 4, 1941, February 3, 1942, February 10, 1942, February 24, 1942?

Mr. WOLFF. I don't remember that at all.

Mr. MORRIS. You don't remember that?

Mr. WOLFF. No; I do not.

Mr. MORRIS. Mr. Wolff, have you intervened on behalf of any Spanish Communists with any officials of the United States Government?

Mr. WOLFF. I have intervened, that is, I have pleaded for the lives of Spanish Republicans before various Congressmen and officials of the United States Government; yes.

Mr. MORRIS. On what occasions? Who were these Spanish Republicans that you mentioned; Spanish Republicans?

Senator SMITH. Let us get that straight.

The CHAIRMAN. Yes. But sure and get that straight.

Mr. WOLFF. I am talking about Spanish Republicans, that is right. I am sure they would want to keep it straight as well.

The CHAIRMAN. I hope so.

Mr. WOLFF. On many occasions and because of the large number of political prisoners that Franco has incarcerated in his jails, and the large number that he has had executed, I can't specify who and what and where, but I know that I was, and am, and will continue to be, active in their behalf to the best of my ability, to save the lives of these people who fought against fascism in Franco Spain. I trust there will be people in America and elsewhere in the world who will join me in this fight, and have, as a matter of fact.

Senator WELKER. While you were in Spain with the Abraham Lincoln Brigade that you testified about, did you have any knowledge of any American citizens who rebelled against the Communist forces and were executed?

Mr. WOLFF. The Communist forces?

Senator WELKER. Yes; the forces that you were trying to help in Spain.

Mr. WOLFF. You mean the forces I was trying to help, or the Communist forces?

Senator WELKER. The Communist forces, yes.

Mr. WOLFF. I refuse to answer that question on the grounds of the fifth amendment.

Senator WELKER. Did you have anything to do with the execution of any American citizens in Spain?

Mr. WOLFF. I refuse to answer that question on the fifth amendment.

Mr. MORRIS. You mean you cannot give a denial to the Senator's question on that?

Mr. WOLFF. I don't know the meaning of the question. I have no advance knowledge of any sort from which this kind of a question could stem. Obviously in an open and in a judicial proceeding I would probably be in a position to answer it.

Senator BUTLER. Then why did you say "No"?

Senator WELKER. I asked you if you had any knowledge of any American citizens being executed.

Mr. WOLFF. I refuse to answer that question.

Senator WELKER. By revolting against the Abraham Lincoln Brigade that you were once a member of. Will you answer that? Did you have any such knowledge?

Mr. WOLFF. By revolting against the Abraham Lincoln Brigade?

Senator WELKER. Yes; by refusing to fight with the Abraham Lincoln Brigade after they got over in Spain.

Mr. WOLFF. I'll stand on the fifth amendment, on that question.

Senator WELKER. And I will ask you then again this further question: Did you have anything to do with their execution?

Mr. WOLFF. I'll stand on the fifth amendment.

Mr. MORRIS. Mr. Wolff, what is your present occupation?

Mr. WOLFF. I am a painter, an artist.

Mr. MORRIS. An artist?

Mr. WOLFF. That's right.

Mr. MORRIS. What has been your principal source of livelihood during the past year, your painting?

Mr. WOLFF. No; unfortunately not; odd jobs that I have held. At the present moment, I am unemployed.

Mr. MORRIS. Are you now a member of the Communist Party?

Mr. WOLFF. I thought we went through that.

The CHAIRMAN. The witness has answered that question.

Mr. WOLFF. I have answered that question.

The CHAIRMAN. He refused to answer on the fifth amendment. Are there any further questions?

Mr. MORRIS. How long did you remain in the Office of Strategic Services?

Mr. WOLFF. Roughly, I'd say, about 10 to 12 months. I don't remember the exact span of time.

Mr. MORRIS. And you served where?

Mr. WOLFF. In Italy.

Mr. MORRIS. When you went to Spain, did you apply for a passport in your own name?

Mr. WOLFF. Yes; I did.

Mr. MORRIS. And do you still have a passport?

Mr. WOLFF. No; I do not.

Mr. MORRIS. Has it lapsed, or have you—

Mr. WOLFF. When I returned from Spain, it was taken from me by officials of the State Department.

Mr. MORRIS. Have you reapplied for a passport since that time?

Mr. WOLFF. No; I have not.

Mr. MORRIS. Have you been out of the country since your service in OSS?

Mr. WOLFF. Since my service in the Army?

Mr. MORRIS. In the Office of Strategic Services, yes.

Mr. WOLFF. No; I have not.

Mr. MORRIS. I have no more questions.

The CHAIRMAN. Are there any further questions?

Senator SMITH. Yes.

The CHAIRMAN. Senator Smith.

Senator SMITH. I believe you said at the present time you are unemployed.

Mr. WOLFF. That is right.

Senator SMITH. For how long a period have you been unemployed?

Mr. WOLFF. For roughly 4 months.

Senator SMITH. Have you had any other periods of unemployment during the past, we will say, 5 years?

Mr. WOLFF. I beg your pardon?

Senator SMITH. Have you had any other periods of unemployment during the past 5 years?

Mr. WOLFF. I imagine I have had; yes.

Senator SMITH. During the past 5 years have you received any compensation in any way, directly or indirectly, from the Communist Party or any Communists?

Mr. WOLFF. I refuse to answer that question on the fifth amendment.

The CHAIRMAN. You were the commanding officer of the Abraham Lincoln Brigade in Spain?

Mr. WOLFF. Yes; I was.

The CHAIRMAN. What rank did you hold?

Mr. WOLFF. I finally was a major in command of the 58th battalion.

Mr. MORRIS. How many men served under you?

Mr. WOLFF. At full strength, the battalion numbered 800.

The CHAIRMAN. Are there any further questions? If not, you will be excused.

Call the next witness.

Mr. MORRIS. Helen B. Tenney.

The CHAIRMAN. Miss Tenney, will you be sworn to testify?

Mr. SCHEINER. Mr. Chairman, before Miss Tenney is sworn, I would like to say that in every sense Miss Tenney objects to the business of photographs, moving pictures, television, and so on, and I would like to ask that they desist.

The CHAIRMAN. They may take the pictures before she starts testifying and when she starts testifying I will ask that cameramen and photographers not to take any pictures of the witness while testifying.

You still have the privilege, of course, to take the pictures of the room, the committee, and anything but Miss Tenney, the witness.

Do you object now?

Mr. SCHEINER. We do object. We would like them to stop.

The CHAIRMAN. Gentlemen, please desist.

Will you be sworn to testify? Will you stand and be sworn? Do you swear that the testimony you give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss TENNEY. Yes.

TESTIMONY OF HELEN B. TENNEY, NEW YORK, N. Y., ACCOMPANIED BY FRANK SCHEINER, ATTORNEY AT LAW, NEW YORK, N. Y.

The CHAIRMAN. Where do you reside, Miss Tenney?

Miss TENNEY. In New York City.

The CHAIRMAN. At what address?

Miss TENNEY. 2 Horatio Street.

The CHAIRMAN. I believe the record shows you are present with your attorney.

Mr. SCHEINER. That's right. Do you want me to note my appearance here?

The CHAIRMAN. It is noted, sir.

Proceed, Mr. Morris, with the questioning of the witness.

Mr. MORRIS. Miss Tenney, have you been an editorial analyst in the Office of Strategic Services?

Miss TENNEY. I decline to answer the question and I stand on my constitutional rights in declining.

Mr. MORRIS. Miss Tenney, you know that it is a matter of record, do you not, that you were an analyst, an editorial analyst, chief of section, with the Office of Strategic Services, and that you worked for that organization between November 8, 1943, and July 19, 1946?

Mr. SCHEINER. Mr. Morris, may I say that your question was inaudible over here?

The CHAIRMAN. Mr. Reporter, would you please restate the question. The bell was ringing. Please restate the question.

(The record was then read by the reporter.)

Mr. MORRIS. I would like to put in the record the statement of service of Helen B. Tenney.

The CHAIRMAN. Will you answer the question just read by the reporter?

Miss TENNEY. Yes. I decline to answer.

Senator SMITH. You mean to say you decline to answer whether or not you worked at the Office of Strategic Services?

Miss TENNEY. Yes; I decline.

Senator SMITH. That was United States Government employment; was it not?

The CHAIRMAN. You have counsel, Miss Tenney, and I want to tell you this: That you do not mean to tell this committee that a truthful answer to that question might tend to incriminate you and therefore you want to exercise your privilege under the fifth amendment not to testify?

Mr. SCHEINER. Mr. Chairman, your reference to counsel just recalls this to me: That in executive session Miss Tenney has stated the grounds for her declination. I would like the record to show that when she declines right now to answer, she is declining for the same reasons that were given to you in this hearing in executive session.

Senator SMITH. That may be what you say.

Mr. SCHEINER. You can ask her and see whether she will say that.

Senator SMITH. You are prompting —

Mr. SCHEINER. I am not prompting at all.

Senator SMITH. That is precisely what you are doing.

Mr. SCHEINER. I am sorry to disagree with you,

Senator SMITH. We will have to put you out of here if you put words in the witness' mouth. All we want are truthful answers and we do not want the answers from you.

Mr. SCHEINER. I'm sorry, I am not putting any words in her mouth and you are not getting any answers from me. I asked you to get something on the record and you know from her attendance here this morning earlier just what her position is with regard to declinations.

Senator SMITH. It is also very apparent that Miss Tenney is very nervous and very disturbed.

Mr. SCHEINER. Very well; don't accuse me of putting words in her mouth.

The CHAIRMAN. You are here by virtue of a privilege and not as a right. When this committee asks questions of Miss Tenney, we want her answers and we do not want any answers of her attorney. However, she does have the privilege. If she does not understand the question and if she wants legal advice, then she may consult you, but please let her answer the question.

Now, proceed with the questioning. Would you answer the question, or have you forgotten it?

Miss TENNEY. I have not forgotten it. I decline to answer the question and I stand on the fifth amendment and on the Constitution in declining.

The CHAIRMAN. All right, Miss Tenney.

Senator SMITH. I would like to ask Miss Tenney a question. Do you know what the Office of Strategic Services was, just "yes" or "no"? I am not trying to trip you at all. I am just trying to find out if you recall what the Office of Strategic Services was.

Miss TENNEY. I decline to answer the question.

Senator SMITH. Did you decline to accept your paycheck from the Office of Strategic Services?

Miss TENNEY. I decline to answer the question on the same grounds already stated and other declination.

Senator WELKER. Counsel, you are an able lawyer or you would not be here. Certainly you know that the witness is getting mighty, mighty close to being in contempt and I hope you have a conference with her on little immaterial questions like that. Do not put her up against the position of forcing the committee to cite her for contempt.

Mr. SCHEINER. Well, I'm glad you paid me that compliment. I don't know whether it's justified. I feel that Miss Tenney understands the reasons why she is exercising her constitutional privilege and in doing so why she has to take that chance.

Senator WELKER. If it has your approval, Counselor, that is all we want to know. We did not want to mislead the witness at all.

Mr. SCHEINER. If you are going to ask that her exercise of the privilege stand on my approval, then I'll answer as the questions are asked.

Senator WELKER. I asked you if you advised her of her rights.

Mr. SCHEINER. I advised her of her constitutional rights.

The CHAIRMAN. All right. Proceed with the questioning.

Mr. MORRIS. Mr. Chairman, I would like to have Mr. Mandel identify the statement of Federal service which shows that Helen B. Tenney—you are Helen B. Tenney, are you not?

Miss TENNEY. Yes.

Mr. MORRIS. Held the position of editorial analyst, chief of section, up to 1946, and that she first started as a clerk in the OSS on November 8, 1943.

The CHAIRMAN. All right; proceed.

Mr. MORRIS. Mr. Mandel, will you identify that document?

Mr. MANDEL. This statement of Federal service has been forwarded to the committee by the United States Civil Service Commission and is dated June 12, 1953.

Mr. MORRIS. May that go in the record?

The CHAIRMAN. It may go in the record and become a part of the record.

(The document referred to was marked "Exhibit No. 250" and follows:)

EXHIBIT No. 250

UNITED STATES CIVIL SERVICE COMMISSION,
SERVICE RECORD DIVISION,
Washington 25, D. C. June 12, 1953.

STATEMENT OF FEDERAL SERVICE

Notice to individuals: This record should be preserved. Additional copies of service histories cannot be furnished due to limited personnel in the Commission. This record may be presented to appointing officers for their inspection.

Name: Tenney, Helen B.

Date of birth: June 16, 1910.

Authority for original appointment (examination from which appointed or other authority—Executive Order, law, or other exemption); Executive Order 9063, regulation V.

Effective date	Nature of action	Position, grade, salary, etc.
Nov. 8, 1943	War-service appointment.....	Clerk, CAF-5, \$2,000 per annum, Office of Strategic Services, Washington, D. C.
Jan. 14, 1944	Reassignment (DC 257, Rev. No. 3)....	Editorial analyst, P-1, \$2,000 per annum.
Apr. 29, 1944	Promotion.....	Editorial analyst, P-2, \$2,600 per annum.
May 1, 1945	Promotion (DC 257, Rev. No. 3).....	Editorial analyst (chief of section), P-3, \$3,200 per annum.
Sept. 30, 1945	Separation—Transfer.....	Editorial analyst (chief of section), P-3, \$3,640 per annum.
Oct. 1, 1945	Appointment by transfer (Executive Order 9621, Sept. 20, 1945).	Editorial analyst (chief of section) P-3, \$3,640 per annum, War, Strategic Services Unit, Washington, D. C.
July 19, 1946	Involuntary separation (reduction in force).	Editorial analyst (chief of section), P-3, \$4,275 per annum.

A. M. DEEM,
Chief, Audit Section.

The above transcript of service history does not include salary changes, intra-agency transfers within a organizational unit not involving changes from one official headquarters or duty station to another, and promotions or demotions, since Federal agencies are not required to report such actions to the Commission.

Mr. MORRIS. Do you know of the testimony of Elizabeth Bentley to the effect that you were a member of an espionage ring during the war?

Miss TENNEY. I decline to answer that question.

Mr. MORRIS. I am not asking you whether it was true. The particular question is, Do you know that she had testified that you were a member of an espionage ring in Washington during the war?

Miss TENNEY. I decline to answer the question for reasons already stated.

Mr. MORRIS. Even as to whether or not you know that? You feel that answering that question honestly would incriminate you?

Miss TENNEY. I want to speak to counsel.

The CHAIRMAN. You may.

Mr. MORRIS. By the way, what is your name?

Mr. SCHEINER. I have stated it previously. The name is Frank Scheiner, S-c-h-e-i-n-e-r. The address is 401 Broadway, New York City.

The CHAIRMAN. You may consult Mr. Scheiner.

Miss TENNEY (after conferring with counsel). I beg your pardon.

The CHAIRMAN. Are you ready to answer the question?

Miss TENNEY. I decline to answer the question, the last question I heard. What was the last question?

Mr. MORRIS. Do you know that she testified?

Miss TENNEY. I decline to answer the question on the same grounds.

Mr. MORRIS. Were you in the Spanish Division of OSS?

Miss TENNEY. I decline to answer the question.

Mr. MORRIS. Did you work in the Balkan Division of OSS?

Miss TENNEY. I decline to answer the question on the same grounds.

The CHAIRMAN. Let the record show each time when she declines under the fifth amendment that her answer might tend to incriminate her.

Miss TENNEY. Yes, sir.

Mr. MORRIS. I have just one more question. We have here an application for Federal employment of Helen Barrett Tenney. Question 17:

Do you advocate or have you ever advocated, or are you now or have you ever been a member of any organization that advocates the overthrow of the Government of the United States by force and violence?

And the applicant answered "No." Were you at that time a member of the Communist Party, Miss Tenney?

MISS TENNEY. I decline to answer the question on the grounds already given.

THE CHAIRMAN. Miss Tenney, you are called here before this committee. You could be of great help to this committee and great help to your country, rather than refusing to answer under the fifth amendment, if you would just tell us honestly the answers to these questions. Will you not please do that?

MISS TENNEY. To what questions?

THE CHAIRMAN. To these questions propounded to you.

MISS TENNEY. Well, I answered the questions or declined, sir.

THE CHAIRMAN. Are you now a member of the Communist Party, Miss Tenney?

MISS TENNEY. I decline to answer the question.

THE CHAIRMAN. Are you afraid to answer? Have you been threatened some way if you came before this committee and told the truth? Have you been threatened in any way? Has anyone threatened you?

MISS TENNEY. I would like to speak to counsel.

THE CHAIRMAN. You may speak to your counsel.

MISS TENNEY (after conferring with counsel). Would you repeat the question?

THE CHAIRMAN. Have you been threatened or intimidated in any way that if you came before this committee and told the truth, you would be injured or harmed? Have you been threatened in any way?

MISS TENNEY. I haven't been threatened.

THE CHAIRMAN. You have not?

MISS TENNEY. I'm very nervous in your committee.

THE CHAIRMAN. I notice you are nervous. That is why I ask you. You are here to answer questions truthfully. You have counsel here, but what I would like to know, from your demeanor on the witness stand—is whether or not anyone has threatened you. If you came here and told the truth, would you be harmed in any way?

MISS TENNEY. Threatened? No.

THE CHAIRMAN. You have not been threatened. All right.

MR. MORRIS. Would you identify that signature as your signature, Miss Tenney? Counsel has the application there.

MISS TENNEY (after having been shown document). I refuse to answer.

Mr. MORRIS. You refuse to acknowledge that that is your signature for the same reason? Let me see that for a minute.

Miss TENNEY. Could I ask for time out?

The CHAIRMAN. Yes, you may consult your counsel at any time, Miss Tenney.

(Witness confers with counsel.)

The CHAIRMAN. All right, Senator Welker. Do you have a question?

Senator WELKER. Miss Tenney, have you ever used any name other than that of Helen B. Tenney?

Miss TENNEY. I decline to answer the question.

Senator WELKER. Have you had any employment in the Government or any place else in the last 15 years?

Miss TENNEY. Any place?

Senator WELKER. Have you been employed by the Government or in any branch of industry or business in the last 15 years?

Miss TENNEY. I decline to answer the question.

The CHAIRMAN. Mr. Morris.

Mr. MORRIS. Mr. Chairman, I would just like to introduce this whole application of Federal employment in the record. This shows that prior to the time of her working, this witness, for the OSS, that she was working for an organization called the Short Wave Research, Inc., 730 Fifth Avenue. That was a special personnel agency under contract to the Office of War Information. Then a description of her duties with Office of Strategic Services mentions here that her job was administrative assistant in personnel adjustments for employees at the OWI; interviews in three languages of applicants and new personnel; coordination of liquidation proceedings; correspondence; responsible for office files, personnel records; switchboard; some research.

That apparently is a description of her assignment with the Short Wave Research, Inc., which apparently was under a special personnel agency contract to the Office of War Information. Apparently, Mr. Chairman, in view of the fact that the witness is not answering any questions in connection with this, I suggest, we simply put it in the record and let it speak for itself.

The CHAIRMAN. It may go in the record and become a part of the record.

(The application referred to was marked exhibit No. 251 and follows:)

Print or type your name here as in item 4
Helen Barret Tenney

Print or type your name here as in item 4

11. (a) Have you ever filed applications for any Federal civil service examinations?
(If so, list them below.)

Titles of examinations:

Examined in what office:

Month and year:

Yes No
Examinations

12. Have you passed any State or other civil service examination (other than the above) within the last 5 years? (If so, give details under item 43).

Yes No

13. (a) Check highest grade completed elementary or high school. (b) List your graduates.

Yes No

(a) College or university

Carnegie Institute of Technology

Name and location of school

Dates attended

Years completed

Degrees conferred

Semester hours credit

From

To

Day

Night

Title

Date

1926 1930

4

BA

6/30

Columbia U. Summer Session

JULY 10-18, 1933

BA

6/30

(c) List your four chief undergraduate subjects

Semester hrs

List your four chief graduate subjects

Semester hrs

Counsel & Performance 164

English & Dramatic Literature 42

French Civilization, Toscani, 54

History (art. theatre, Dr.) 34

Studies Intel. Con-
YERBATION & COOP.

31. Indicate your knowledge of foreign languages

Language	READ		SPEAK	
	Fluently	Fairly	Fluently	Fairly
Spanish	X		X	
French	X		X	
Italian				X

32. REFERENCES: List five persons who are not related to you by blood or marriage, who live in the United States, and who are or have been in a city responsible for close direction of your work, or who are in a position to make your work critically in those occupations in which you regard yourself as best qualified.

Most recent license (year) _____
 Give kind of license and State _____
 Earliest license (year) _____

Full name	Address (give complete address, including street and number)	Business or occupation
Arthur Glenkoff	6 East 99th St., NYC	publishing
Wm. A. Slow	228 West 51st St., NYC	EX-2799, Short Ave
W. Frank Edmund	140 West 54th St., NYC	Physician
Wm. Fred M. Wolf	276 West 53rd St., NYC	US Navy
Wm. Lee Lance	2231 California St., Washington - Inspector	

33. May inquiry be made of your present employer regarding your character, qualifications, etc? Yes No

34. REFERENCES: In the spaces furnished below give a record of every employment, both public and private, which you have had since you first began to work. Start with your present position and work back to the first position you held, accounting for all periods of unemployment. Describe your job or work and your duties and responsibilities and how long you held it. Give dates and your duties and responsibilities in each detail as to make your qualifications clear. Give name of employer and full and complete address of his organization.

Name of employer	From (month, year)	To (month, year)	Exact title of your position	Salary Starting \$	Per (month, year)	Final \$

PRESENT POSITION

Name of employer: _____
 Address: _____
 Kind of business or organization: _____
 Number and class of employees you are, served: _____
 Name and title of your immediate superior: _____

Duties and responsibilities: _____

Marriage and employment you used: _____

<p>Place lived: <u>New York City, NY</u> From <u>Nov</u> 19 <u>42</u> to <u>June</u> <u>43</u> <small>(month) (year) (month) (year)</small> <small>(Name of employer)</small></p> <p><u>Chart Ave. Research, Inc.</u> <u>Address 730 Fifth Ave., NYC</u></p> <p>Kind of business or organization: <u>special per-</u> <u>agency under contract to</u> <u>employees you supervised</u> <u>ONI</u></p> <p>Name and title of your immediate supervisor: <u>Marye B. Blow,</u> <u>president</u></p> <p>Reason for leaving: <u>liquidated</u></p>	<p>Exact title of your position: <u>Secretary &</u> <u>administrative assist</u> <small>Duties and responsibilities:</small> <u>Personnel adjustments for em-</u> <u>ployees at ONI. Interviews in 3 languages</u> <u>of applicants and new personnel. Coordina-</u> <u>tion of liquidation proceedings. Corres-</u> <u>pondence. Responsible for office, files,</u> <u>personnel records, switchboard, some</u> <u>research.</u></p> <p>Machines and equip- ment you used: <u>typewriter, monitorboard, adding</u> <u>machines, files.</u></p>
<p>Place: <u>New York City, NY</u> <small>(city) (state)</small> From <u>Jan</u> 19 <u>42</u> to <u>Nov</u> <u>42</u> <small>(month) (year) (month) (year)</small> <small>(Name of employer)</small></p> <p><u>Neighborhood Playhouse School</u> <u>Address 16 West 48th St., NYC</u></p> <p>Kind of business or organization: <u>theatre school</u> <small>Name or title of</small> <small>employees you supervised</small></p> <p>Name and title of your immediate supervisor: <u>R. T. Dallas,</u> <u>Registrar</u></p> <p>Reason for leaving: <u>preferred war work</u></p>	<p>Exact title of your position: <u>School Secretary</u> <small>Duties and responsibilities:</small> <u>School correspondence and re-</u> <u>spondence. Preliminary interviewing of appli-</u> <u>cants. Administrative detail and adminis-</u> <u>trative charge of children's classes.</u> <u>Adjustment of schedules for faculty and</u> <u>provision of material for classes and stud-</u> <u>ent projects. Responsible for bulletin</u> <u>boards, library, group theatre</u> <u>boards.</u></p> <p>Machines and equip- ment you used: <u>typewriter, monitor board</u></p>

Name **New York City, NY** (State)
 From **June** (Month) **1941** (Year) To **Dec** (Month) **1941** (Year)
 Name of employer: **Pack and Peck**
 Address: **505 Fifth Ave., NYC**

Kind of business or organization:
Retail apparel chain

Number and title of employees you supervised:
1, as follows: supervisor **W. Barron
credit manager
property and permanence**

Place: **New York, NY** (State)
 From **May** (Month) **1941** (Year) To **June** (Month) **1941** (Year)
 Name of employer:
H. L. Macy
 Address: **Eerald Square**

Kind of business or organization:
department store

Name and title of person immediately supervisor:
W. L. Higney
chief, direct mail advtsing

Reason for leaving project stymied:
transferred to other dept

If name, title or reason is revised, use a Continuation Sheet Standard Form No. 500 or a sheet of paper, size 8 1/2 by 11 inches. Write on each sheet your name, full address, date of birth, and examination title (if any). Enclose unattached, with application.

Exact title of your position: **secretary** Salary: Starting \$ **22.50**
 Per wk. final \$ **22.50**

Duties and responsibilities: **Correspondence on and checking of charge account complaints and adjustments. Preparation of new records and adjust- ments. Preparation of new records system. Miscellaneous functions connected with department re-organization.**

Machines and equip- ment you used: **typewriter, teletype, credit files.**

Exact title of your position: **Promotion asst** Salary: Starting \$ **30.**
 Per wk. final \$ **30.**

Duties and responsibilities: **writing of promotional form letters for direct mail advertising of D/A services.**

Machines and equip- ment you used

If name, title or reason is revised, use a Continuation Sheet Standard Form No. 500 or a sheet of paper, size 8 1/2 by 11 inches. Write on each sheet your name, full address, date of birth, and examination title (if any). Enclose unattached, with application.

43. Space for detailed answers to other questions

Write in full and give numbers of items to which detailed answers apply

Item No.

41b) Barbara and Gerald Rosen,
cousin by birth and later
husband, in Caracas, born
citizens of USA, legal residence
residence, 150 E. 51st, NYC

39. Do you hold any position or office under any State, Territory,

county, or municipality? Yes No

If so, give details under item 43

40. Do you receive any pension or other benefit exclusive of Adjusted Service Creditable for military or navy, air force, or an armistice from the U. S. Government under any agreement? Yes No

If so, give details under item 43

41. Show name and address of wife (or husband's) employer (if none, write None)

None

42. (a) Were any of the following members of your family born out-

side Continental U. S. A? Yes No

Wife Husband Father Mother
 If so, indicate which by marking the appropriate space and show under item 43 for each: (1) full name, including maiden name of wife or mother; (2) birthplace; (3) native citizenship; and (4) if U. S. on, naturalized, date of naturalization.

(b) Have you any relatives, by blood or by marriage (including persons in the U. S. armed forces), now living in a foreign country? Yes No

If so, for each relative show under item 43 the (1) name, (2) relationship (3) place of residence, (4) birthplace, (5) present citizenship, and (6) whether transient or resident

43. List any special skills not shown in Question 37, such as operation of short-wave radio, multilith, key punch, ferro type, or stenotype or professional device:

SKILL

SKILL

Words per minute in typing 60 stenography 110

Do you have a license to operate an automobile? Yes No

44. Show what kind of work you prefer: research, inform-

tion, translation, editorial

45. Give any special qualifications not covered elsewhere in your application, such as: (a) past or present publications (do NOT submit copies unless requested), (b) your patents or trade items, (c) hold time, construction of instruments, etc.

of interest in language and history studies - at present reading up on Latin American and Spanish history and studying Spanish.

Long-time interest in writing; have done proof-reading, English and Spanish; re-writing and re-translation, and translation of

2 three-act French plays; etc.
on free-lance basis.

If more space is required, use a sheet of THIS paper, size 4 x 10 1/2 inches. Write on each sheet your name, full address, date of birth, and examination title (if any). Use one side only. Enclose unaffiliated, with applications.

It now makes reference for the Indian Service as an Indian, you must file with this application a certificate from the superintendent of the Indian agency where you are registered, or from the Commissioner, Bureau of Indian Affairs, showing that you have at least one-fourth Indian blood.

JURAT FOR OATH. - This jurat (or oath) must be executed.

The following oath must be taken before a notary public, the secretary of a United States civil service board of examiners, or other officer authorized to administer oaths, before whom the applicant must appear in person. The following are among those not authorized to administer this oath: Postmasters (except in Alaska), Army officers, post-office inspectors, and chief clerks and assistant chief clerks in the Railway Mail Service.

The composition and work in connection with any material required to be submitted for this examination are entirely my own, except where I have given full credit for quoted matter or the collaboration of others by quotation marks and references, and in the composition of the same I have received no assistance except as indicated fully in my explanatory statement.

I, the undersigned, **DO SOLEMNLY SWEAR (OR AFFIRM)** that the statements made by me in answer to the foregoing questions are **true and true to the best of my knowledge and belief, SO HELP ME GOD.**

If female, prefix "Miss" or "Mrs." and if married use your own given name, as "Mrs. Mary L. Doe."

(Signature of applicant) *Mrs. Mary L. Doe*
SIGN WITH PEN AND INK your name - use given name, initial or initials and surname

Subscribed and duly sworn to before me according to the above-named applicant this *25th* day of *April* 19*35*, at city (or town) of _____ and State (or Territory or District) of _____ day

(Signature of officer) *Mary L. Doe*
ROTARY PUBLIC
New York Co. No. 353, Reg. No. 49545
Commission Expires March 30, 1945

U. S. GOVERNMENT PRINTING OFFICE 6-3004-1

[Continuation sheet]

Helen Tenney, 150 East 52nd St., New York City. Born: June 16, 1910.

Cue Magazine, 8 East 39th St., NYC., January 1940-March 1941: Information and promotion; reports on public inquiries to circulation, editorial and advertising department. \$25 per week. Project terminated. Supervisor: Allan E. Aird, Business Manager.

Spanish Refugee Relief Campaign, 381 Fourth Avenue, NYC (defunct): Secretary to special project for relief and resettlement of refugee physicians and scientists. Office correspondence and compilation of curricula vitae. \$21 per week. Project terminated because of war conditions. Supervisor: Douglas Jacobs, Campaign Manager.

1938-June 1939: Secretarial and language studies. Free-lance publicity and promotion. Private (unpublished) writings.

September 1937-December 1937: Research assistant to Jay Allan (c/o OWI) on chronology of Spanish Civil War and other projects. \$30 per week. Employment terminated with projects when he went abroad.

Center Restaurants, Inc., 30 Rockefeller Plaza, NYC, February 1936-September 1937: Assistant to Publicity Director. Writing of releases; accumulation of material for publicity. Correspondence. Direct mail announcements. \$25-\$30 per week. Resigned because of difficulties of hours of work. Supervisor: Edward M. Seay, Publicity Director.

Rockefeller Center, Inc., 30 Rockefeller Plaza, NYC, June 1934-February 1936: Information clerk, cashier, receptionist on development promotion. \$21-\$22.50 per week. Supervisor, Mr. Joseph Vermilye (also Mr. Victor Sturgeon). Transferred to next position.

1930-34: Theatrical work, stage and radio.

NOTE.—Employed free-lance by Radio Division, Coordinator of Inter-American Affairs, NYC, for research, summer, 1943. Supervisor: Miss Gabrielle Swados.

The CHAIRMAN. Miss Tenney, what languages do you speak?

Miss TENNEY. I decline to answer the question.

The CHAIRMAN. Are there any further questions?

Senator SMITH. I would like to ask her this. Miss Tenney, before you came before the committee this morning, were you given any kind of medicine, dope, or sedatives?

Miss TENNEY. Medicine?

Senator SMITH. Yes. Have you taken any kind of medicine or drugs this morning before you came here to testify?

Miss TENNEY. No.

The CHAIRMAN. Are there any further questions? If not, Miss Tenney, you will be excused.

Call the next witness, please.

Mr. MORRIS. The next witness is Irving Fajans.

The CHAIRMAN. Will you be sworn to testify?

Mr. FAJANS. Before I do, Senator, I request the same thing, the cameras be turned off me on you, and may I also request that there be no news—it's kind of late for that now.

The CHAIRMAN. When the witness is testifying, please do not take pictures, and please keep the cameras off the witness.

Mr. FAJANS. They have accomplished the fact. He is going to take another one in a minute. Would you ask him not to take it?

The CHAIRMAN. Yes. Please do not do that.

Please be sworn and then if you have a request of the committee, we will hear you. Do you swear that the testimony you give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FAJANS. I so swear.

TESTIMONY OF IRVING FAJANS, NEW YORK, N. Y.

The CHAIRMAN. What was your other request?

Mr. FAJANS. I request, too, that not alone the cameras be turned off; that the microphone be turned off. I mean the stuff that they are recording.

The CHAIRMAN. We want this recording for the purposes of this committee, and your request there will be refused.

Proceed with the questioning, Mr. Morris.

Mr. MORRIS. Will you give your full name and address to the reporter?

Mr. FAJANS. My name is Irving Fajans.

Mr. MORRIS. Will you spell that? F-a-j-a-n-s; is that it?

Mr. FAJANS. That is correct.

Mr. MORRIS. Where do you reside?

Mr. FAJANS. My home address was given to the committee in executive session this morning.

The CHAIRMAN. We have his address. The record shows that.

Mr. MORRIS. What is your present occupation?

Mr. FAJANS. I am a writer.

Mr. MORRIS. For whom do you write?

Mr. FAJANS. I have written for various publications. In addition to this, I have just last year collaborated on a book which was published.

Mr. MORRIS. What book was that?

Mr. FAJANS. The book is the Heart of Spain.

Mr. MORRIS. The Heart of Spain?

Mr. FAJANS. That is correct.

Mr. MORRIS. With whom did you collaborate in that book?

Mr. FAJANS. Mr. Alvah Vessie.

Mr. MORRIS. Mr. Fajans, have you served with the Office of Strategic Services?

Mr. FAJANS. We were through this this morning, Mr. Morris.

The CHAIRMAN. That was in executive session. We are now in open session, and we want the record open.

Mr. FAJANS. I will repeat some of the things. Before I answer that question, I should like to inform Mr. Morris and the committee that upon leaving the OSS I signed an oath of secrecy whereby I swore I would never reveal anything which I learned or came to my knowledge while serving in the OSS.

The CHAIRMAN. That was not the question. The question was: Did you serve in the OSS?

Mr. FAJANS. I served in the OSS.

The CHAIRMAN. All right. Answer the question.

Mr. FAJANS. I just did.

Mr. MORRIS. What were the circumstances leading up to your employment in the Office of Strategic Services?

Mr. FAJANS. I am going to say two things at this point. In the first place, I was not employed by the Office of Strategic Services. I was a soldier in the Army.

Mr. MORRIS. And you were assigned to the OSS; is that right?

Mr. FAJANS. I was an infantry soldier and an infantry officer. I served with the 42d Division and with the 3d Division. I have many battle citations and combat stars. I was wounded on the Anzio

beachhead. I was assigned to the OSS. However, I am not clear at this moment just how far I can go without violating the oath of secrecy which I swore to in the OSS, in any of the circumstances surrounding my entry into the OSS or of anything which occurred in the OSS while I was not in the OSS.

Senator WELKER. Mr. Chairman, may I have a question?

The CHAIRMAN. Senator Welker.

Senator WELKER. Before you joined the OSS, were you a member of the Communist Party?

Mr. FAJANS. Senator, I am going to refuse to answer that question on the grounds of the first and fifth amendments.

The CHAIRMAN. Are you a member of the Communist Party?

Mr. FAJANS. Now, Senator, I am going to refuse to answer that question on the grounds of the first and fifth amendments.

The CHAIRMAN. This committee, of course, recognizes your refusal not to answer the question under the fifth amendment, but not under the first amendment.

Senator WELKER. Have you ever engaged in espionage activities against the Government of the United States?

Mr. FAJANS. I am going to refuse to answer that question under the first and fifth amendments.

The CHAIRMAN. The same record, Mr. Reporter.

Mr. MORRIS. In what countries did you serve with the Office of Strategic Services?

Mr. FAJANS. Senator, before we got into the OSS, the questions on the OSS, I stated to this committee that I had sworn to an oath of secrecy not to reveal any of my actions, activities, or any knowledge which came to me as a result of my service in the OSS.

The CHAIRMAN. We are not asking for any knowledge. We are asking where you served or what countries you served in.

Mr. FAJANS. My interpretation of that would be that the places where I served come within the province of the OSS and therefore are intelligence which may or may not have anything to do or may not have any direct significance.

The CHAIRMAN. I direct that you answer the question.

Mr. FAJANS. I am going to have to stand on the first and fifth amendments.

Mr. MORRIS. You know you cannot invoke the fifth amendment unless your reason for invoking the fifth amendment is the fact that you feel by answering the question honestly you would be putting on the record facts or a link in a series of circumstances that would lead to your indictment?

Mr. FAJANS. I am not a lawyer and I am not represented by counsel. It may be your opinion that I cannot invoke the first and fifth amendments, and that may be so. I don't know. But I will invoke it and I will say this: I don't know what evidence this committee has against General Donovan or anybody else in the OSS.

Mr. MORRIS. His name has not come up in this hearing.

Mr. FAJANS. He was the head of the OSS during the war. I mean the public head of the OSS. Let's say his name was in the newspapers.

Senator WELKER. I would say we are interested in a witness by the name of Irving Fajans right now.

Mr. FAJANS. I don't remember where we started now. What was the original question?

Mr. MORRIS. When you were working in the OSS, what countries you served in.

Mr. FAJANS. Yes. Then we got into this business of invoking the first and fifth amendments.

Senator SMITH. Did he say?

The CHAIRMAN. He refused to answer under the first and fifth amendment. The committee recognizes his right under the fifth amendment. Mr. Morris explained it to him since he is without counsel. We do not want to take advantage of you. Do you understand Mr. Morris' explanation?

Mr. FAJANS. By and large. I don't understand the legal technicalities and ramifications of this, but by and large, I understand what Mr. Morris is saying.

Senator WELKER. Let me ask you this question: Have you ever conferred or talked to anybody about your rights before this committee before you came here?

Mr. FAJANS. I beg your pardon?

Senator WELKER. Have you conferred or talked with anyone who advised you as to taking advantage of the fifth amendment or the first amendment?

Mr. FAJANS. Senator, I am not going to answer that question. I am not going to answer it on the grounds of the first and fifth amendment.

Senator WELKER. Then you perhaps have had a little advice that you do not want to tell the committee about.

Mr. FAJANS. Senator, that is your statement; that is not mine.

Senator WELKER. You were pleading here a moment ago that you came here alone without counsel. I asked you if you had not been advised as to your rights before this committee and how to act. Then you refused to answer upon the grounds that your answer might tend to incriminate you.

I have no further questions.

Senator SMITH. I have one.

The CHAIRMAN. Senator Smith.

Senator SMITH. Did you apply for service in the OSS?

Mr. FAJANS. Senator, I am going to refuse to answer that question on the grounds of the first and fifth amendment.

Senator SMITH. With whom did you confer when you went into the work of the OSS?

Mr. FAJANS. Senator, I am going to refuse to answer that question on the grounds of the first and fifth amendments and remind the Senator that I did swear an oath of secrecy to the United States Government.

Senator SMITH. And the reason you do not want to answer that question is because you were planted in the OSS by some organizations that were inimical to the United States Government in their activities; is that right?

Mr. FAJANS. Senator, I am not going to answer that question on the grounds of the first and fifth. I would say that we have had a very poor intelligence agency which would allow anybody to be planted within it.

Senator SMITH. I am inclined to think there were times when there were people in there that were very poor.

Mr. FAJANS. I can say this for the Senator's information—

Senator SMITH. Will you tell us how you got into the OSS, the simple honest truth as to how you got in the OSS?

Mr. FAJANS. Senator, I am going to refuse to answer that question.

Senator SMITH. I thought you were.

Mr. FAJANS. I would direct the Senator, if I may—

The CHAIRMAN. You have answered the question.

Mr. FAJANS. Mr. Morris has all the records. He knows how I got in the OSS.

Senator SMITH. I do not know whether he has what you know or not.

Mr. FAJANS. He can put them in the record. He knows how I got into the OSS. There is no mystery about it, but I will not testify to it on the grounds of the first and fifth.

Senator WELKER. I think it would be very beneficial if counsel does have that information to have it in the record.

Mr. MORRIS. I do not have the information as to how he got into the OSS.

Senator WELKER. Very well, then.

Since counsel does not have it, will you favor us by giving it to us?

Mr. FAJANS. I will refuse to answer that question on the grounds of the first and fifth amendments. I would suggest to counsel since he was able to get the records of Helen B. Tenney, I don't see any great difficulty in getting my record from the OSS and he can put it in the record.

The CHAIRMAN. If we had the record, Mr. Fajans, it would not necessarily answer the question that Senator Smith propounded to you. Whom did you talk to? Whom did you confer with about going into the OSS? The record would not show that. That is the question that has been asked you and that is the information this committee would like to have. Will you not cooperate to that extent?

Mr. FAJANS. Senator, I'm sorry, I cannot cooperate with the committee. I will refuse to answer that question on the grounds of the first and fifth amendments.

Senator SMITH. Where were you born?

Mr. FAJANS. I was born in New York City.

Senator SMITH. What were your connections with any of the people that are now behind the Iron Curtain? I refer to family connections.

Mr. FAJANS. I am sorry; I don't quite understand what you are trying to say, connection with any of the people. What people?

Senator SMITH. Soviet people.

Mr. FAJANS. I refuse to answer that question on the grounds of the first and fifth amendments.

The CHAIRMAN. Mr. Morris, proceed.

Mr. MORRIS. Mr. Fajans, you are an official of the Veterans of the Abraham Lincoln Brigade, are you not?

Mr. FAJANS. Mr. Morris, I am going to refuse to answer that question on the grounds of the first and fifth amendments and would like to inform this committee at this time that the Veterans of the Abraham Lincoln Brigade are subject to an action in the SACB Board. As I understand it, an unfavorable decision by that board will invoke

penalties upon the membership of that organization. Therefore, I decline to answer on the grounds of the first and fifth amendments.

Mr. MORRIS. Have you had any training under any foreign government?

Mr. FAJANS. I refuse to answer that question on the grounds of the first and fifth amendments.

Mr. MORRIS. When you were in Spain—you were in Spain, were you not, Mr. Fajans?

Mr. FAJANS. I was in Spain.

Mr. MORRIS. When were you in Spain?

Mr. FAJANS. I was in Spain in 1937, 1938, part of 1938.

Mr. MORRIS. What rank did you have in the Spanish Republican Army?

Mr. FAJANS. I was a lieutenant.

Mr. MORRIS. Were you a member of the Communist Party at that time?

Mr. FAJANS. I am going to refuse to answer that question on the grounds of the first and fifth amendments.

Mr. MORRIS. As a lieutenant in the Spanish Republican Army, did you receive any military training from a foreign government, that is, a government other than the United States Government?

Mr. FAJANS. I am going to refuse to answer that question on the grounds of the first and fifth amendments.

Mr. MORRIS. Have you registered in accordance with the terms of the Subversives Activities Control Act?

Mr. FAJANS. I don't know what the provisions of the Subversive Activities Control Act are. I have not registered under the provisions of any act that I know of.

Mr. MORRIS. Mr. Fajans, section 20 of this act under the heading of "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," has a subsection (5) which now reads, "any person who has knowledge of or has received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a government of a foreign country," and it is in that connection the question is being asked. Have you registered?

Mr. FAJANS. I have already told you I have not registered, Mr. Morris. As a matter of fact, is that the McCarran Act routine?

Mr. MORRIS. It is part of the McCarran Act.

Mr. FAJANS. I have just told you that the organization itself is subject to an action there. The outcome of that action has not been decided.

Mr. MORRIS. Did you apply for a passport when you went to Spain?

Mr. FAJANS. Yes; I did.

Mr. MORRIS. Did you get a passport in your own name?

Mr. FAJANS. Yes; I did.

Mr. MORRIS. Was that passport turned over to the United States State Department when you returned?

Mr. FAJANS. Yes; it was.

Mr. MORRIS. Have you obtained one since?

Mr. FAJANS. No; I have not.

Senator WELKER. Mr. Fajans, have you ever used any name other than that of Irving Fajans?

Mr. FAJANS. I have used the name of Irving Henri as a pen name. I haven't used that since 1935.

Senator WELKER. That is the only time you have used any fictitious or false name?

Mr. FAJANS. That is correct.

The CHAIRMAN. You are excused.

Mr. MORRIS. Mr. Carson.

Mr. CARSON. As a radio and television critic who has constantly written publicly opposing television and radio and newsreels in congressional and senatorial hearings, I respectfully request that those media be forbidden to operate here when I am on the witness stand.

The CHAIRMAN. When you are on the witness stand, you will not be interfered by photographers or cameramen, and I will ask the cameramen not to put the cameras on you.

Mr. CARSON. I heard the chairman tell the previous witness that tape recordings are here for the information of the committee. I respectfully submit that no recordings of that kind be turned over for broadcast.

The CHAIRMAN. Your request there will be denied. Will you be sworn to testify?

Mr. CARSON. I will, sir.

The CHAIRMAN. Do you swear that the testimony you give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CARSON. I do, sir.

TESTIMONY OF SAUL CARSON, NEW YORK, N. Y.

The CHAIRMAN. State your full name to the committee.

Mr. CARSON. Saul Carson.

The CHAIRMAN. Where do you reside, Mr. Carson?

Mr. CARSON. New York City.

The CHAIRMAN. What is your business or profession?

Mr. CARSON. I am a radio-television critic.

The CHAIRMAN. Proceed, Mr. Morris, with the questioning of the witness.

Mr. CARSON. Mr. Chairman, may I once more see if I cannot make myself clear, sir? I do that with utter respect for the committee. I have written publicly objecting to broadcasting of congressional and senatorial committees. I request, sir, with uttermost respect, to the committee, and, as a matter of fact, to my colleagues in these various meetings, that tape recordings of this hearing when I testify shall not be turned over for broadcasting.

The CHAIRMAN. This committee of course needs these tape recording and wants them. As a matter of fact, the entire record of this proceeding is being taken down by an official reporter, which is customary, and we will have to decline your request.

Mr. CARSON. But for broadcast, sir, please.

The CHAIRMAN. We will be the judge of that.

Senator SMITH. That is right.

The CHAIRMAN. Proceed.

Mr. MORRIS. Mr. Carson, were you an employee of the Office of War Information during the war?

Mr. CARSON. Yes, sir.

Mr. MORRIS. What job did you have?

Mr. CARSON. Well, I think my first job was—I don't remember whether my title was first script writer or script editor. I think it was the latter, but I'm not sure; also propaganda analyst. I think there was a form of title called field representative.

Mr. MORRIS. How did you get your job with the Office of War Information, Mr. Carson?

Mr. CARSON. I applied for it, sir.

Mr. MORRIS. At the time of your application for this job with the Office of War Information, were you a member of the Communist Party, Mr. Carson?

Mr. CARSON. No, sir.

Mr. MORRIS. Had you been just prior to your application a member of the Communist Party?

Mr. CARSON. No, sir.

Mr. MORRIS. Have you been a member of the Communist Party under the alias of Frank Leonard?

Mr. CARSON. I decline to answer that on the grounds of the fifth amendment, sir. Besides, sir, that's a loaded question. You got two questions.

Senator SMITH. May we ask him right there how long before he became an employee of the Office of War Information had he been a Communist?

Mr. CARSON. I decline to answer that, sir, on the grounds of the fifth amendment that it might tend to incriminate me.

Mr. MORRIS. Have you ever used the name Frank Leonard?

Mr. CARSON. I decline to answer that question on the grounds it might tend to incriminate me under the fifth amendment.

Mr. MORRIS. Have you been a contributor to the New Masses, Mr. Carson?

Mr. CARSON. In the sense that once the New Masses printed an article of mine, if you interpret that—

Mr. MORRIS. I see. You did not write expressly for the New Masses?

Mr. CARSON. No, sir.

Mr. MORRIS. They took an article of yours and reprinted it?

Mr. CARSON. Once an article of mine appeared in the New Masses.

Mr. MORRIS. Where had you originally written the article? For what publication had you originally written the article?

Mr. CARSON. I had written the article in an effort to sell it to various magazines, that is, to some magazines.

Mr. MORRIS. Who bought it?

Mr. CARSON. No one bought it.

Mr. MORRIS. How did it get to the New Masses?

Mr. CARSON. Would you like me to go into the details of that? I will be glad to. I was writing a biography of a great American figure, Frederick Douglas. I was working on the biography and had consultation with the agent. The agent suggested along about some time before February, which is—Douglas' birthday is celebrated in February—it would be a good idea "if you write a magazine article on this," and I thought it would too so I took some of my material and wrote a magazine article. I sent it around to various magazines and it was turned down. Along about that time, I got a telephone

call from somebody at the New Masses saying, "I heard you got a piece on Frederick Douglas kicking around." I said, "Yes."

He said, "We would like to see it." I said, "Be glad to let you see it, but let's not use it until I consult my agent about it." I sent it to them. I think it was within a few days when I was informed that not only was the article used, but the name of the piece and my name were on the front cover.

Mr. MORRIS. Were you asked by the Office of War Information whether or not you had been a member of the Communist Party?

Mr. CARSON. I don't remember, sir.

Senator WELKER. Had you been asked, what would have been your answer?

Mr. CARSON. I'm not sure, sir, that I understand the question exactly from the way you are phrasing it. I was asked first whether I was asked and I said I do not remember.

Senator WELKER. Had you been asked in your application as to whether or not you had ever been a member of the Communist Party what answer would you have given to the Office of War Information?

Mr. CARSON. I decline to answer that on the grounds that it might tend to incriminate me under the fifth amendment.

Mr. MORRIS. Senator Welker, the answer to question 26 in this personal history statement reads:

Are you a member of any Communist or German bund organization, or any political party or organization which advocates the overthrow of our constitutional form of government in the United States, or do you have any membership in or any affiliation with any group, association, or organization, which advocates or lends support to any organization or movement advocating the overthrow of our constitutional form of government in the United States?

And the answer here is "No."

Senator WELKER. I suggest that you hand that to the witness. I would like him to identify the handwriting.

Mr. MORRIS. It is directed to the present time of his application.

Senator WELKER. Question No. 26, I think it is.

Mr. CARSON. What is it I am to identify?

Mr. MORRIS. Is that your personal-history statement?

Senator WELKER. Directing your attention to an exhibit which is marked for purposes—

Mr. CARSON. May I consult my notes that I made for myself?

Senator WELKER. As soon as I get the answer to the question.

The CHAIRMAN. Let the witness consult his notes.

Senator WELKER. Directing your attention to the exhibit that is now being handed to you, I will ask you whether or not that is your handwriting. Look at it, please.

Mr. CARSON. What part of it, sir?

Senator WELKER. Question No. 26, which was just read to you by committee counsel. You have not even looked at the exhibit. I asked you to look at it and then tell me whether or not it is your handwriting.

Mr. CARSON. Yes, sir, that is my handwriting.

Senator SMITH. Before you made the application and wrote that answer, you knew you had to answer that question; did you not?

Before you applied for the job and answered that question, you knew that that question was in that application?

Mr. CARSON. Before I applied for the job?

Senator SMITH. Yes.

Mr. CARSON. Sir, before I applied for the job, I could not have seen the application.

Senator SMITH. Are you certain about that? Did you not know what friends of yours had been required to sign?

Mr. CARSON. I'm absolutely certain of that, sir.

Senator SMITH. You had never seen this question before you answered it there that day?

Mr. CARSON. I am absolutely certain, sir, that I had not seen a copy of that application before I filled it out.

Senator SMITH. Did you know there was such a question in the application before you wrote that answer, that is, immediately before you wrote that answer?

Mr. CARSON. I don't remember, sir. I don't think so.

Senator SMITH. The reason I asked you that is, is it not a fact that a short while before you answered that question and signed that application, you had been a member of the Communist Party and you resigned from the Communist Party so that you could answer that question without running the risk of perjury?

Mr. CARSON. That is not a fact, sir.

Senator SMITH. Had you belonged to the Communist Party before that time?

Mr. CARSON. Sir, you said just now, a short time before, and I said that is not a fact, sir.

Senator SMITH. I asked you: Had you been a member of the Communist Party when you signed that application?

Mr. CARSON. Under the fifth amendment, again, sir, I must respectfully decline to answer that question.

Senator SMITH. You decline to answer that question?

Mr. CARSON. Yes, sir. May I point out, Mr. Chairman, that as I understood the question, the implication of it was that, oh, say, on Tuesday this witness was a Communist and on Saturday or the following Tuesday he was not and in between he had resigned because he was about to fill out that application.

Mr. MORRIS. Yes. Some people have done that.

The CHAIRMAN. We have had witnesses before this committee who have been members of the Communist Party, but before they went into Government employment they made a tactical withdrawal from the Communist Party because they knew they would have to sign this oath.

Senator Smith's question was regarding that, whether or not you had been a member of the Communist Party and made a tactical withdrawal in order to get this job with the Government.

Mr. CARSON. Yes, sir. That was my understanding, sir, and I said it was not a fact. In other words, my answer is "No."

The CHAIRMAN. However, when asked the question whether or not you had been a member of the Communist Party prior to your making this application, you declined to answer under the fifth amendment of the Constitution, that your answer might tend to incriminate you; is that not correct?

Mr. CARSON. Yes, sir.

The CHAIRMAN. I just wanted the record to speak the truth. Proceed, Mr. Morris.

MR. MORRIS. Mr. Carson, you see the reason the committee is asking you this question is that one of the subjects under consideration is the adequacy of the forms being used by the Federal agencies, and in this case, the question asked you at that time was: "Are you a member" as of the time of the writing. And that clearly shows the inadequacy of that form in determining whether or not somebody has been a member of the Communist Party, and it was about that.

THE CHAIRMAN. That is the job of this committee, to look into the internal security of this country and this Government.

MR. CARSON. I understand, sir.

THE CHAIRMAN. Are there any further questions?

MR. MORRIS. I have no more questions.

THE CHAIRMAN. You will be excused.

MR. CARSON. May I leave the city?

THE CHAIRMAN. Yes, you are excused.

SENATOR SMITH. There is one question I would like to ask before you leave. As to the article of yours that was published in the New Masses, did you receive any compensation for that?

MR. CARSON. None whatsoever, sir.

SENATOR SMITH. You knew that the New Masses was a Communist publication, did you not?

MR. CARSON. I knew that it was Communist inclined if not Communist; yes, sir.

SENATOR SMITH. And you knew that at the time you donated your article to them?

MR. CARSON. Sir, I did not donate my article to them.

SENATOR SMITH. You did not get any compensation for it?

MR. CARSON. I hope, sir, I explained—

SENATOR SMITH. Did you get any compensation?

MR. CARSON. Sir, I said—

SENATOR SMITH. Just answer my question. Were you paid anything by the New Masses for the publication of your article?

MR. CARSON. My dear Senator, with all due respect to you, I am a worker in words. Please do not put—you asked me whether I donated. I know what the word "donate" means. If I donate something right here, I am donating it willingly.

SENATOR SMITH. I am asking you now: Did you receive any compensation for the publication of your article?

MR. CARSON. To that my answer has been and is again, "No", sir.

SENATOR SMITH. So that at the time that you gave them permission, if you did give them permission to use your article, you knew that it was a Communist publication?

MR. CARSON. If you will break down your question, sir. I say that with utter respect to the committee, sir. You put two things together.

SENATOR SMITH. You do not want to give two things at once in one answer?

MR. CARSON. No, sir.

SENATOR SMITH. Did you know at the time the New Masses was a Communist or Communistic publication?

MR. CARSON. Yes, sir.

SENATOR SMITH. All right. Did you receive any compensation for your article published therein?

MR. CARSON. No, sir.

Senator SMITH. Did you give permission to the New Masses to publish your article?

Mr. CARSON. No, sir.

Senator SMITH. Is that breaking it down to your satisfaction?

Mr. CARSON. Yes, sir. I said, sir, if you please, that I was called up by somebody who said, "I would like to see the article." I said, "I would be glad to let you see it, but don't use it. I will have to check with my agent first." Then, all of a sudden, boom, there it was.

The CHAIRMAN. Are there any further questions? If not, you will be excused.

Mr. MORRIS. Senator, we have two other witnesses here who have been heard in executive session. Both of them at the time of the service of the subpoenas earlier in this week were teachers in New York city colleges. One of them submitted his resignation shortly thereafter. Both of them before the committee invoked their privilege under the fifth amendment as to past membership in the Communist Party and denying present membership in the Communist Party.

Counsel would like to know if it is your wish to hear them in open session.

The CHAIRMAN. I do not think it is necessary. We are running late now and I do not believe it is necessary. We have the executive testimony and we know what the record says.

Mr. MORRIS. We have one other witness, Senator. He will be here at 2 o'clock this afternoon.

The CHAIRMAN. It depends upon the condition on the floor. At any rate, we will stand in recess at this time.

(Whereupon, at 12:50 p. m., the committee recessed, to reconvene subject to call.)

INTERLOCKING SUBVERSION IN GOVERNMENT DEPARTMENTS

THURSDAY, JUNE 18, 1953

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS, OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to call, at 11:45 a. m., in the caucus room, Senate Office Building, Senator William E. Jenner (chairman of the subcommittee) presiding.

Present: Senators Jenner and Johnston.

Present also: Robert Morris, subcommittee counsel; Benjamin Mandel, director of research; and Robert C. McManus, staff member.

The CHAIRMAN. The committee will come to order.

Mr. MORRIS. Is Mr. Marzani here?

The CHAIRMAN. Will you be sworn to testify in open session.

Do you swear the testimony given in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARZANI. I do.

TESTIMONY OF CARL ALDO MARZANI, NEW YORK CITY, ACCOMPANIED BY HIS COUNSEL, DAVID SCRIBNER, NEW YORK CITY

Mr. MORRIS. Where do you reside?

Mr. MARZANI. I prefer not to have pictures taken.

The CHAIRMAN. We will ask the photographers not to put the cameras on the witness when testifying.

Proceed.

Mr. MARZANI. 111 West 88th Street, New York City.

Mr. MORRIS. What is your present occupation?

Mr. MARZANI. I work in a trade union.

Mr. MORRIS. The purpose of bringing this witness here today is to supplement the testimony the committee has been taking in the last few days in connection with Communist infiltration into the Office of Strategic Services and related organizations. In that respect the witness is called.

The CHAIRMAN. Proceed with the questioning of the witness.

Mr. MORRIS. Will you tell us from what universities you obtained degrees?

Mr. MARZANI. I got a degree from Williams College and a degree from Oxford University.

Mr. MORRIS. In what year did you obtain your degree from Williams College?

Mr. MARZANI. 1935.

Mr. MORRIS. And Oxford?

Mr. MARZANI. 1938.

Mr. MORRIS. What was your first employment after your graduation from Oxford?

Mr. MARZANI. Works Program Administration.

Mr. MORRIS. Will you tell us how you got that Works Program Administration job?

Mr. MARZANI. I do not recall. The normal procedure was you went on relief and applied for WPA.

Mr. MORRIS. That was in what year?

Mr. MARZANI. This would be, I believe, in 1939.

Mr. MORRIS. Did you have anything to do with the national research project?

Mr. MARZANI. No, sir.

Mr. MORRIS. You did not?

Mr. MARZANI. To the best of my recollection.

Mr. MORRIS. How long did you stay with the Works Program Administration?

Mr. MARZANI. A matter of several months; 6, 7, 8.

Mr. MORRIS. What did you do after that?

Mr. MARZANI. I obtained a position at New York University.

Mr. MORRIS. Pardon?

Mr. MARZANI. I worked at the New York University.

Mr. MORRIS. What was your job at New York University?

Mr. MARZANI. I was a senior economics assistant and an economics instructor.

Mr. MORRIS. Were you on the faculty?

Mr. MARZANI. That is correct.

Mr. MORRIS. How long were you on the faculty of the New York University?

Mr. MARZANI. In the neighborhood of a year. Senior assistant is sort—not quite faculty. I was an instructor for a year.

Mr. MORRIS. Then what did you do after that?

Mr. MARZANI. I came to Washington in the Government.

Mr. MORRIS. What year was that?

Mr. MARZANI. 1942.

Mr. MORRIS. Then you applied for work with the Coordinator of Information?

Mr. MARZANI. That is correct.

Mr. MORRIS. What was the Office of Coordinator of Information?

Mr. MARZANI. It was an agency of the Government charged with information and services to the Armed Forces of an economic nature, reports, and so on.

Mr. MORRIS. Was that organization the starting point for the creation of the Office of Strategic Services?

Mr. MARZANI. I believe it was.

Mr. MORRIS. The OSS grew out of that development?

Mr. MARZANI. I believe that is correct.

Mr. MORRIS. Will you tell us how you got your employment with the Office of Coordinator of Information?

Mr. MARZANI. I must claim the privilege, sir, the fifth amendment.

Mr. MORRIS. To tell us how you got your job with the Coordinator of Information, a United States agency, would be putting into the

record something that might at least be a link in a chain of circumstances leading to your conviction; is that the significance of your reply?

Mr. MARZANI. It is my—I have been advised I may claim the privilege of the fifth amendment since a witness cannot be compelled to testify against himself.

Senator JOHNSTON. So you think if you would answer that question it might incriminate you in that some way?

Mr. MARZANI. I claim the privilege.

Mr. MORRIS. What were your duties with the Office of Coordinator of Information?

Mr. MARZANI. It was my job to prepare digests from raw material.

Mr. MORRIS. These digests were prepared for whom?

Mr. MARZANI. Various other Government agencies—customers.

Mr. MORRIS. How long did you remain with the Office of Coordinator of Information?

Mr. MARZANI. Until it became the Office of Strategic Services.

Mr. MORRIS. How long was that, approximately?

Mr. MARZANI. I do not know; a matter of months.

Mr. MORRIS. A matter of months. Did you have the same assignment in the OSS?

Mr. MARZANI. That is correct.

Mr. MORRIS. Who was your superior in that?

Mr. MARZANI. General Donovan.

Mr. MORRIS. Immediate superior?

Mr. MARZANI. I claim the privilege, sir.

Mr. MORRIS. You mean to tell us who your immediate superior was—all right.

The CHAIRMAN. The record will show that the witness claims the privilege under the fifth amendment. His answer might tend to incriminate him.

Mr. MORRIS. How long did you remain in OSS in that capacity?

Mr. MARZANI. Until I was drafted in the Army.

Mr. MORRIS. When was that?

Mr. MARZANI. This was in 1943.

Mr. MORRIS. In 1943?

Mr. MARZANI. That is correct.

Mr. MORRIS. While you were in OSS, did you apply for a deferment on the ground that the work in the OSS was important warwork?

Mr. MARZANI. Not to the best of my recollection.

Mr. MORRIS. After you were drafted in the Army, did you apply for assignment back to OSS?

Mr. MARZANI. I decline to answer that on the basis of the fifth amendment and claim the privilege.

Mr. MORRIS. Even whether or not you were assigned back or you applied for assignment?

Mr. MARZANI. That is correct.

Mr. MORRIS. Who helped you in being reassigned to the OSS?

Mr. MARZANI. I claim the privilege.

The CHAIRMAN. Same answer.

Mr. MORRIS. You were assigned back to the OSS?

Mr. MARZANI. That is correct.

Mr. MORRIS. But you will not tell us how you arranged to be transferred back?

Mr. MARZANI. I claim the privilege.

Senator JOHNSTON. Did you mean to say it would incriminate you or someone else?

Mr. MARZANI. I claim the privilege, sir.

Perhaps I did not quite understand the question. Naturally, all these answers are related to myself alone.

Mr. MORRIS. When you were reassigned as military personnel back to OSS, did you do the same work you were doing when you were a civilian?

Mr. MARZANI. That is correct.

Mr. MORRIS. Exactly the same?

Mr. MARZANI. That is correct.

Mr. MORRIS. Was there a difference in pay?

Mr. MARZANI. Considerable. I was a private.

Mr. MORRIS. You were a private. But you were doing the same work as you had previously?

Mr. MARZANI. That is correct.

Mr. MORRIS. Who was your superior in that particular connection?

Mr. MARZANI. I do not recall the name of my military superior.

Mr. MORRIS. You do not recall?

Mr. MARZANI. I was in the Army. I do not know.

Mr. MORRIS. Who was your superior? Who gave you orders in carrying out this work?

Mr. MARZANI. Within the agency?

Mr. MORRIS. Yes.

Mr. MARZANI. I decline to answer under the fifth amendment.

Mr. MORRIS. How long did you stay in OSS?

Mr. MARZANI. Until it went out of existence.

Mr. MORRIS. In what year?

Mr. MARZANI. I believe it was at the end of 1945 or very early in 1946.

Mr. MORRIS. Mr. Mandel, we have job descriptions of Mr. Marzani, do we not?

Mr. MANDEL. We do.

Mr. MORRIS. Please read those.

Mr. MANDEL. I have an application filed by Carl Aldo Marzani dated September 27, 1945, in which it is noted that his work with the OSS, his exact title was Deputy Chief of Presentation Branch; duties and responsibilities were to supervise production of branch, make policy decisions on projects, liaison with Deputy Chief of Staff of the AUS, and Office of Under Secretary of War.

Mr. MORRIS. Who was the Under Secretary of War?

Mr. MARZANI. Secretary Patterson.

Mr. MORRIS. Did you ever have occasion to confer with Secretary Patterson?

Mr. MARZANI. I do not recall, sir. If I did, it must have been maybe once or twice.

Mr. MORRIS. Did you ever confer with General Marshall?

Mr. MARZANI. No, sir.

Mr. MORRIS. You never did?

Mr. MARZANI. I would have been very happy to and very proud to.

Mr. MORRIS. I am asking these questions to determine how high authorities were that he had been conferring with. There is no implication of any kind involved.

Who were the generals you were conferring with?

Mr. MARZANI. Deputy Chief of Staff, General McNarney.

Mr. MORRIS. How about General Nelson?

Mr. MARZANI. Yes.

Mr. MORRIS. What other generals?

Mr. MARZANI. Various generals in various capacities. I do not recall all their names.

Mr. MORRIS. How about Colonel Burgess?

Mr. MARZANI. No, I do not believe I did in the OSS.

Mr. MORRIS. The idea was, you were preparing material for these?

Mr. MARZANI. They asked me to do work for them.

Mr. MORRIS. Will you continue?

Mr. MANDEL. Another description from the OSS on Mr. Marzani's application shows him as Chief of the Editorial Section, supervising making of movies and charts on technical reports for higher echelons, Army, Navy, OSS, and JCS.

Mr. MORRIS. That is your own description of your job?

Mr. MARZANI. I presume it is.

Mr. MORRIS. Did you ever deal with any members of the Joint Chiefs of Staff?

Mr. MARZANI. Not as such. That is to say, I have dealt with the Joint Chiefs of Staff as an organization.

Mr. MORRIS. You prepared material for them but you never dealt with any actual member of the staff, is that it?

Mr. MARZANI. That is right. I was one of the men responsible for picking the targets for the raid on Tokyo, the Doolittle raid. That came from the Air Force through the Joint Chiefs. It was a regular staff setup. Requests would come in and people would be assigned. I mentioned that because it was one of the earliest jobs which I recollect clearly. It has already been in the record.

Senator JOHNSTON. Do you mean to come before this committee and state you held this responsible position and at the same time you will not say whether or not you were a member of the Communist Party at that time?

Mr. MARZANI. In view of the nature of this inquiry, sir, I must respectfully claim the privilege of the fifth amendment.

Mr. MORRIS. What do you mean "the nature of this inquiry?"

Mr. MARZANI. I claim the privilege, sir.

Mr. MORRIS. What do you mean by "the nature of this inquiry?"

Mr. MARZANI. The nature of the questions asked.

Mr. MORRIS. This committee is trying to find out whether people who were Communists infiltrated high positions of the United States Government, particularly during the Second World War.

Mr. MARZANI. I am in no position to discuss matters with you. I have been to jail on a frameup charge, 2½ years. I spent 2½ years on an indictment which was unconstitutional, and in my opinion the Supreme Court of the United States decided 4 to 4 it was unconstitutional, and I went to jail for 2½ years. So I must be the only judge to the best of my knowledge and ability as to whether I could be put into jail again on an indictment which is false and unconstitutional.

Therefore, I claim the privilege.

Senator JOHNSTON. When were you in jail?

Mr. MARZANI. 1948 to 1950, with a sick wife and two little children, no parole, and a 4 to 4 decision of the Supreme Court.

Senator JOHNSTON. What was the charge, then?

Mr. MARZANI. I was charged with such things as trying to take over the Army and Navy of the United States.

Mr. MORRIS. You were indicted on the count of perjury, lying about your membership in the Communist Party, were you not?

Mr. MARZANI. I was not indicted on the ground of perjury.

Mr. MORRIS. What were you indicted on?

Mr. MARZANI. On a false statement made, allegedly made before an individual, with no witnesses, nothing written.

Mr. MORRIS. The basis of it was perjury?

Mr. MARZANI. If it was perjury, I could not have been sent to jail. They would have to prove it.

Mr. MORRIS. The issue was whether or not you had attended Communist Party meetings.

Mr. MARZANI. No, sir; whether certain individuals asked me certain questions.

Mr. MORRIS. Were you a member of the Communist Party?

Mr. MARZANI. I claim the fifth amendment, the privilege.

Mr. MORRIS. Did you attend Communist meetings under the name of Tony Whales?

Mr. MARZANI. I claim the privilege.

Mr. MORRIS. Did you know a New York City police officer named Drew?

Mr. MARZANI. I claim the privilege of the fifth amendment.

Mr. MORRIS. Mr. Marzani, were you Deputy Chief of the Presentation Branch, CAF-14 at \$7,175 per annum, Office of Strategic Services, in 1945?

Mr. MARZANI. I believe I was after I got out of the Army.

Mr. MORRIS. How did you arrive at that position? After you got out?

Mr. MARZANI. That is right.

Mr. MORRIS. When did you get out of the Army?

Mr. MARZANI. In 1945.

Mr. MORRIS. What month?

Mr. MARZANI. I believe it was September.

Mr. MORRIS. How is it you were able to get out of the Army in 1945 in September?

Mr. MARZANI. I forget the grounds. There was some grounds, dependency, maybe.

Mr. MORRIS. Did anyone aid you in getting out?

Mr. MARZANI. I claim the privilege of the fifth amendment.

Senator JOHNSTON. Did you make application to get out?

Mr. MARZANI. I claim the privilege of the fifth amendment.

Mr. MORRIS. In other words, you went back to work as a civilian in the Office of Strategic Services?

Mr. MARZANI. That is right.

Mr. MORRIS. You were a sergeant in the Army?

Mr. MARZANI. That is correct, master sergeant.

Mr. MORRIS. And then you became Deputy Chief of the Presentation Branch, Office of Strategic Services, at \$7,175 a year.

Mr. MARZANI. That is correct.

Mr. MORRIS. What was the nature of your duties there at that time?

Mr. MARZANI. Similar to the previous ones, the taking of raw materials and presenting reports. It is mostly generalized to cover all kinds of work to be done.

Mr. MORRIS. The OSS was transferred to the State Department?

Mr. MARZANI. That is correct.

Mr. MORRIS. Will you tell us about that?

Mr. MARZANI. I know very little about it. It was an Executive order which simply divided up the OSS into various sections. They were simply handed over to various divisions.

Mr. MORRIS. You gave us a description in executive session. That was helpful.

Mr. MARZANI. An Executive order took the OSS and took various groups, various offices, and assigned them to various agencies; State Department, Central Intelligence Agency, and I believe the Board of Economic Warfare, although I am not sure about that.

Mr. MORRIS. Some of the OSS people became part of the CIA, still others became part of the State Department, and some became assigned to the Board of Economic Warfare?

Mr. MARZANI. The first two I know about; the second, the others—there may have been more than one. Some of them may have been sent to Commerce. Technicians went to the agencies whose responsibility was to carry that function in peacetime.

Mr. MORRIS. It is that transfer in particular that we are interested in in connection with that particular person.

The CHAIRMAN. Do you recall how many members there were in OSS at the time of the Executive order to divide it up?

Mr. MARZANI. I mentioned a figure this morning. I may say this is a figure which I have no personal knowledge of. It has been published in newspapers as being around 10,000. I do not know if it was 10,000 at that time or not. I believe that is the peak figure, one of the figures mentioned about the total size of the OSS.

The CHAIRMAN. You also testified you did not know what percentage of the split was, which went to the CIA and which went to the State Department?

Mr. MARZANI. That is correct.

Mr. MORRIS. Then you went into the State Department?

Mr. MARZANI. That is correct.

Mr. MORRIS. What was your position there?

Mr. MARZANI. Similar.

Mr. MORRIS. What was your title?

Mr. MARZANI. Deputy Chief of Presentation Branch.

Mr. MORRIS. Who was your immediate superior?

Mr. MARZANI. Colonel McCormack was in this particular setup.

Mr. MORRIS. Col. Fred McCormack?

Mr. MARZANI. That is correct.

Mr. MORRIS. Had he been in the Office of Strategic Services?

Mr. MARZANI. No, sir; he had not.

Mr. MORRIS. He came into this reorganization through the State Department; is that it?

Mr. MARZANI. That is right.

Mr. MORRIS. You were assigned as a subordinate of his; is that correct?

Mr. MARZANI. That is correct.

Mr. MORRIS. What was the nature of your work in that connection?

Mr. MARZANI. It was still the same type of thing, reports. The nature naturally changed and it was much less military. It was more administrative.

Mr. MORRIS. You prepared reports but no longer for military officials; is that right?

Mr. MARZANI. That is substantially correct.

Mr. MORRIS. Whom did you prepare reports for?

Mr. MARZANI. The Assistant Secretary of State, Mr. Russell.

Mr. MORRIS. Any other Secretaries of State at that high level?

Mr. MARZANI. I do not recall. The reports would be made available generally throughout the State Department.

Mr. MORRIS. Who were the people of Assistant Secretary of State rank that you prepared reports for?

Mr. MARZANI. Colonel McCormack.

Mr. MORRIS. Did you prepare reports for any persons in the State Department with the rank of Assistant Secretary?

Mr. MARZANI. I was not personally, specifically asked. Therefore, I do not know. I assume that our office would prepare, would be available, generally, including the Assistant Secretaries of State.

Mr. MORRIS. What Assistant Secretaries of State have you conferred with?

Mr. MARZANI. Colonel McCormack.

Mr. MORRIS. Is he an Assistant Secretary of State?

Mr. MARZANI. That is correct.

Mr. MORRIS. He is the only one?

Mr. MARZANI. Yes. I think I talked to Mr. Russell once or twice, but never any conferring on jobs. I assume you are interested in jobs, right?

Mr. MORRIS. That is right.

Mr. MARZANI. That is the answer.

Mr. MORRIS. Mr. Mandel, do we have a record of oaths taken by Mr. Marzani in the course of his Government employment?

Mr. MANDEL. We do. We have one here dated September 20, 1945, which is signed by Carl A. Marzani swearing that—

I do not advocate, nor am I member of, any political party or organization that advocates the overthrow of the Government by force or violence.

We have a statement on his application form, question 17, application dated September 27, 1945, which answers "No" to the question of whether you advocate or have you ever advocated, or are you now, or have you ever been, a member of any organization that advocates the overthrow of the Government of the United States by force or violence.

We have another oath dated March 7, 1942, which is along the same line.

Mr. MORRIS. Will you show those signatures to the witness, please?

Will you identify those signatures, Mr. Marzani, as your signatures?

The CHAIRMAN. Let the record show the witness is conferring with counsel.

Mr. MANDEL. I have here the signature dated October 4, 1945.

Mr. MORRIS. Is that your signature?

Mr. MARZANI. I do not take oaths or write my name lightly. The nature of the inquiry and for the reasons I have already stated, I claim the privilege on this question.

Mr. MORRIS. Will you claim your privilege in connection with the other signatures Mr. Mandel is about to show you?

Mr. MORRIS. For the same reason.

They are official records, are they not?

Mr. MANDEL. Yes, sir.

The CHAIRMAN. They will go into our record and become a part of it.

(The material referred to was marked "Exhibits Nos. 252, 253, and 254" and are as follows:)

Printed on type, paper received from the Bureau

64. Do you have any other Federal civil service connections?

Capl. Aldo Merzani

Yes No

Excluded to what class

Yes No

65. Have you passed any State or other civil service examination in the past five years?

Yes No

66. EDUCATION (a) Circle highest grade completed (b) Name and location of school

Yes No

College or university
Williams College
Oxford Univ.,
New York Univ.,

HA 1935 (Eng)
 BA 1938 (Econ)
 None

1931 1935
 1936 1938
 1939 1941

English
 Science
 Economics

Economics

67. Other

68. List your four chief occupations in reverse

1. ... 2. ... 3. ... 4. ...

Complete list

35. Mother tongue: Italian French German Spanish

36. Are you now or have you ever been employed by a radio or television station, or have you ever been employed by a radio or television station?

37. Have you ever been employed by a radio or television station?

38. Give kind of business and date:

39. Most recent license (year):

28. If you are not a citizen of the United States, state who you are and what your status is in the United States. If you are a citizen of the United States, state who you are and what your status is in the United States.

Full name: H.C. Barton, Jr.

Address: Economist - OSS 1900 E St., N.W. Washington, D.C.

Education: Maj. Gen. O. Nelson Harvard, Univ. Wash. Square

Employment: Dr. Paul Studenski New York, N.Y.

Employment: Mr. Chandler Morse OSS 2900 E St., N.W. Washington, D.C.

30. May identify the name of your present employer regarding your character qualifications, etc?

31. EXPERIENCE in the activity mentioned below, give a record of every employment, both public and private, with a view to your background in your line of work. Start with your present position and work back to the first position you held, accounting for all periods of unemployment. Do not state your field of work and your home and, except for employment held less than three months, give your date and responsibilities in each field, as to make your qualifications clear. Give name you used in job and if different from that given on this application.

Place: Washington, D.C.

From: Aug. 43, present

Name of employer: OSS

Address: 25th & E St., N.W., Washington, D.C.

Kind of business or organization: Govt. Agency

Number and class of employees you supervised: 80 editors, artists, etc.

Name and title of your immediate superior: Chief, Presentation Branch

Rank title of your position: Deputy Chief of Presentation Branch

Salary: Starting: 54 as Per mo. Prev. 138 M/Sgt.

Duties and responsibilities: Supervise production of Branch. Make policy decisions on projects. Liaison with Deputy Chief of Staff AUP and office of Undersecretary of War.

Positions held and equipment: supervise use of motion picture equipment

RECEIVED

If more space is required, use a sheet of 7 1/2 x 10 1/2 inches, write on each side your name, full address, date of birth, and occupations (to be certified) - Use one side only. Sections, unclassified, with applications.

If you claim preference for the Indian Service as an Indian, you must file with this application a certificate from the superintendent of the Indian agency where you are registered, or from the Commissioner, Bureau of Indian Affairs, showing that you have at least one-fourth Indian blood.

JURAT (OR OATH). - This jurat (or oath) must be executed.

The following oath must be taken before a notary public, the secretary of a United States civil service board of examiners, or other officer authorized to administer oaths, before whom the applicant must appear in person. The following are among those not authorized to administer this oath: Postmasters (except in Alaska), Army officers, post-office inspectors, and chief clerks and assistant chief clerks in the Railway Mail Service.

The composition and work in connection with any material required to be submitted for this examination are entirely my own, except where I have given full credit for quoted matter or the collaboration of others by quotation marks and references, and in the composition of the same I have received no assistance except as indicated fully in my explanatory statement.

I, the undersigned, **DO SOLEMNLY SWEAR (OR AFFIRM)** that the statements made by me in answer to the foregoing questions are full and true to the best of my knowledge and belief, **SO HELP ME GOD.**

If female, print "Miss" or "Mrs." and if married use your own given name as "Mrs. Mary E. Doe."

Signature of applicant: *Clara A. Chapman*
SIGN WITH PEN OR INK FOR NAMES - use given name, initials, and surname

Subscribed and duly sworn to before me according to law by the above-named applicant this _____ day of _____, 19____, of city [or town] of _____ and State [or Territory or District] of _____

Signature of officer: _____
(Official title)

CONTINUATION SHEET

Standard Form No. 50
Federal Bureau of Investigation
U. S. Department of Justice
G. I. C. Dept. On file 102 For Question 26. Application for Federal Employment, Standard Form No. 57

26. If this form only when necessary for completion of Bureau of Prisons Employment system on Standard Form No. 57. Submit with your application. Transmittal in one BLACK ink and pen. USE ONE SIDE ONLY.

1. Title of examination if included as an application for same:

2. Date of birth (Month, day and year):

3. Applicant's best, middle and last names and full address:

March 14, 1914 Carl Aldo Marzani

Name New York City

From Feb 16 to July 19 36

Status of applicant self employed

Address

Kind of business or organization:

theatre production

Number and class of experience and responsible positions held in your own office or in your immediate supervisor ... not applicable

Reason for leaving going to Oxford City

From New York City

From Sept 19 35 to Jan 19 36

Name of employer Simon & Schuster

Address 1230 6th Ave

Kind of business or organization:

Kind of your position Producer Salary Starting \$ 200

Dates and responsibilities

production and direction-managed a company at Stony Creek, convent-produced "Winter set"

and took it on tour.

Number and class of experience and responsible positions held in your own office or in your immediate supervisor ... 20

Reason for leaving

From New York City

From Sept 19 35 to Jan 19 36

Name of employer none

Address

read foreign books with a view to their translation and publication

Kind of business or organization:

Kind of business or organization:

From Washington, D.C. Date Nov. 4 th 1943 Number of employees OSS Address 25th & E. St., N.W., Washington, D.C.	Exact title of your position Section Chief, Editorials Duties and responsibilities Supervised making of movies and charts on technical reports for high echelons Army, Navy, OSS, JCS	Salary title of your position Starting \$ 4600 Per Y.P. Pool \$ 5600
Kind of business or organization Gov't Agency Number and class of employees you supervised 15 editors and researchers Name and title of your immediate supervisor H.C. Barton, Jr., Chief, Presentation branch Reason for leaving did not leave -- changed status	Duties and responsibilities supervised use of motion picture equipment	Salary title of your position Starting \$ 3800 Per Y.P. Pool \$ 4600
From Washington, D.C. Date Mar. 4 th 1942 Number of employees OSS Address 25th & E., N.W., Washington, D.C.	Duties and responsibilities coordinated results of research--wrote reports for clarity and logic	Kind of business or organization Gov't Agency Number and class of employees you supervised 6 editors and researchers Name and title of your immediate supervisor H. Derr, Chief, Mobile Division Reason for leaving promotion

None

Address and name

Address and name

Place New York City, N.Y. From Sept 1940 to Feb 1942 Name of employer New York Univ. Address Washington Square New York	Exact title of your position Instructor in Economics Duties and responsibilities corrected examinations in economics and sociology-conducted classes	Salary \$ 100 Per Mo. Prol. \$ 300
Kind of business or organization University Number and class of employees you supervised none	Name and title of your immediate superior Dr. W. Spehr Chalm. Co., Dept. Reason for leaving finished war work	Machine used subject most you used none
Place New York City, N.Y. From Sept 1939 to July 1940 Name of employer WP-4 Address New York City	Exact title of your position Research Editor Duties and responsibilities made independent studies of national income of various countries--full responsibility for quality of work and output.	Salary \$ 88 Per Mo Prol. \$ 88
Kind of business or organization Gov't Agency Number and class of employees you supervised none	Name and title of your immediate superior Prof. P. Studenski NYU Reason for leaving better job	Machine used subject most you used none

If space space is required, use a Continuation Sheet Standard Form No. 508 or a sheet of paper, size 8 1/2 x 10 3/4 inches. Write on each sheet your access file number, date of birth, and organization title (if any). Exclude unclassified, with application.

Standard Form No. 47
Approved by the General
of the Budget
Nov. 18, 1941

PERSONNEL AFFIDAVIT

Coordinator of Information: Research and Analysis Washington, D. C.
(Department or agency) (Division or Section) (Place of employment)

Name: Carl A. Hargan
(Given name, initial or initials, if any, and last name. Print in case)

Section 9A of Public 252—76th Congress, approved August 2, 1938, otherwise known as the "Hatch Act," provides:

"(1) It shall be unlawful for any person employed in any capacity by any agency of the Federal Government, whose compensation, or any part thereof, is paid from funds authorized or appropriated by any Act of Congress, to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States.

"(2) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any Act of Congress for such position or office shall be used to pay the compensation of such person."

It is provided in various appropriation acts that no part of the funds so appropriated shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and that an affidavit shall be considered *prima facie* evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence. Such acts provide further that any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment, the salary or wages for which are paid from any such appropriation, shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both, and that the above penalty shall be in addition to, and not in substitution for, any other provisions of existing law.

I, Carl A. Hargan, do solemnly swear (or affirm) that I have read and understand the foregoing; that I do not advocate the overthrow of the Government of the United States by force or violence; that I am not a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence; and that during such time as I am an employee of the Federal Government, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence.

Subscribed and sworn to before me this 7 day of March, A. D., 19 42.

at Washington, D. C.
(City or State) (Date)

Sybil M. Cullen
Notary Public (Washington, D. C.)

[REAR.]

Standard Form No. 418
April and January 20, 1942
1 Form for use by appointees
U. S. Dept. of Justice

**OATH OF OFFICE, AFFIDAVIT,
AND
DECLARATION OF APPOINTEE**

Office of Strategic Services Presentation Washington, D.C.
(Department or Establishment) (Branch or Division) (Place of Residence)

**A.
OATH OF
OFFICE**

I, Carl A. Martini
Do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office to which I am about to enter. **SO HELP ME GOD.**

**B.
AFFIDAVIT**

Do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence, and that during such time as I am an employee of the Federal Government, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence.

**C.
DECLARATION
OF APPOINTEE**

Do further certify that (1) I have not paid or offered or promised to pay any money or other thing of value to any person, firm, or corporation for the use of influence to procure my appointment; (2) I will inform myself of and observe the provisions of the Federal Civil Service law and rules and Executive orders concerning political activity, political assessments, etc., as stated on the attached Information for Appointees, and (strike out either (3) or (4))

(3) the answers given by me in the Declaration of Appointees on the reverse of this sheet are true and correct;

(4) the answers contained in my Application for Federal Employment, Form No. dated 19... filed with the above-named department or establishment, which I have reviewed, are true and correct as of this date, except for the following (if necessary, use additional sheet; if no exceptions write "none"; if (4) is executed, the reverse of this sheet need not be used):

Charles H. Bergman
Director of Appointees

Subscribed and sworn before me this 11th day of October, A. D. 1942.

at Washington, D.C.

SEAL

Burgess E. Wall O.S.S.
Chief Qualification Officer
Act of 6/26/42 Sec 206

NOTE: If the oath is taken before a Notary Public the form of each sheet of this commission should be signed.

September 20, 1942
Chief of Bureau of Oaths

Deputy Chief, C&F-15, 5715 D.C.
Officer in which appointed

March 4, 1942
Chief of Bureau

Mr. MORRIS. What position did Emile Despres have in the OSS?

Mr. MARZANI. I claim the privilege.

Mr. MORRIS. Will you tell us what position he had in the OSS?

Mr. MARZANI. Because of the nature of this inquiry, I must claim the privilege.

Mr. MORRIS. When Mr. Zablodowsky was before the committee we had asked him about an organization called Presentations, Inc., and Mr. Zablodowsky did answer questions about Presentations, Inc. I would like just to refer shortly to his testimony and then I will come in with questions on this.

The CHAIRMAN. Yes.

Mr. MORRIS. The question was put to Mr. Zablodowsky, and this was in the fall of 1952, Senator Eastland presiding at the time:

QUESTION. Do you know an organization called Presentation Associates?

Mr. ZABLODOWSKY. I do.

QUESTION. Tell us about that organization.

Mr. ZABLODOWSKY. At the time when the war was over, it was obvious all the war agencies would evaporate. Several of the people in the Presentation Branch—

QUESTION. That is the Presentation Branch of the Office of Strategic Services in which you and Mr. Marzani worked together?

Mr. ZABLODOWSKY. That is right. Several of us thought that it would be a good idea to organize a private business in which we could carry on the same kind of activities and the same kind of business in which we had so much pleasure in and so much comradeship.

QUESTION. Who were the driving forces in the formation of that organization?

Mr. ZABLODOWSKY. There were, I suppose, about a half dozen to 10 people.

QUESTION. Who were the leading forces there?

Mr. ZABLODOWSKY. I suppose you would—

QUESTION. Mr. Marzani was, was he not?

Mr. ZABLODOWSKY. Yes, he was one.

QUESTION. And were you one?

Mr. ZABLODOWSKY. You could call me one, but in some respects I was a conservative influence.

QUESTION. What do you mean by that?

Mr. ZABLODOWSKY. I never wanted to join it. I never wanted to work for it.

QUESTION. Did you think it was a Communist organization?

Mr. ZABLODOWSKY. No. We left it open to everybody in the Presentation Branch who wanted to join it.

Mr. Marzani, were you the head of an organization known as Presentations, Inc.?

Mr. MARZANI. Because of the nature of this inquiry, sir, I respectfully claim the privilege of the fifth amendment.

Mr. MORRIS. Were you at that time, the time of its organization and incorporation which I believe, Mr. Chairman, was April 16, 1946, then in the Presentation Branch of the State Department?

Mr. MARZANI. Because of the nature of this inquiry, I respectfully claim the privilege of the fifth amendment.

Mr. MORRIS. On April 16, 1946, were you in the Presentation Branch of the State Department?

Mr. MARZANI. Yes, sir.

Mr. MORRIS. Was Presentations, Inc., located at 1707 I Street NW?

Mr. MARZANI. I claim the fifth amendment.

Mr. MORRIS. Did you have photostatic equipment in the office of Presentations, Inc.?

Mr. MARZANI. Because of the nature of this inquiry, Mr. Chairman, I respectfully must claim the privilege of the fifth amendment.

Mr. MORRIS. Who furnished the capital for Presentations, Inc.?

Mr. MARZANI. I claim the privilege of the fifth amendment.

Mr. MORRIS. Who furnished the equipment?

Mr. MARZANI. I claim the privilege.

Mr. MORRIS. Did you have any association whatever with the publication called Amerasia?

Mr. MARZANI. I claim the fifth amendment.

Mr. MORRIS. Is that your answer?

Mr. MARZANI. Yes.

Mr. MORRIS. Have you ever been in the office of Amerasia?

Mr. MARZANI. Same answer.

Mr. MORRIS. Did you ever relate the work of Presentations, Inc., to the work of Amerasia?

Mr. MARZANI. Same answer.

Mr. MORRIS. How many people who remained State Department officials worked in Presentations, Inc.?

Mr. MARZANI. I claim the privilege.

Mr. MORRIS. Did you work with a Col. Carter Burgess in this connection?

Mr. MARZANI. Which connection, sir?

Mr. MORRIS. Have you worked with Col. Carter Burgess in OSS?

Mr. MARZANI. The State Department, sir.

Mr. MORRIS. Was he your superior?

Mr. MARZANI. I do not recall just how he fit into the chain of command.

Mr. MORRIS. Did you accompany Gerhart Eisler on a speaking tour at any time?

Mr. MARZANI. I claim the privilege, sir.

Mr. MORRIS. What do you do right now?

Mr. MARZANI. I work in a union.

Mr. MORRIS. What union is that?

Mr. MARZANI. United Electrical Workers.

Mr. MORRIS. To your knowledge is that union controlled by the Communist Party?

Mr. MARZANI. Pardon?

Mr. MORRIS. To your knowledge is that union controlled by the Communist Party?

Mr. MARZANI. I claim the privilege.

Mr. MORRIS. What work do you do with the United Electrical Workers?

Mr. MARZANI. General publicity.

Mr. MORRIS. Describe the nature of the work to the committee.

Mr. MARZANI. Press releases, leaflets, whatever comes up of a publicity nature.

Mr. MORRIS. Were you a member of the Communist Party when you graduated from Williams College?

Mr. MARZANI. I claim the privilege.

Mr. MORRIS. Were you a member of the Communist Party when you graduated from Oxford?

Mr. MARZANI. I claim the privilege, sir.

Mr. MORRIS. Were you a member of the Communist Party when you were a teacher at New York University?

Mr. MARZANI. I claim the privilege.

Mr. MORRIS. Were you a member of the Communist Party when you were an economic editor of the Coordinator of Information?

Mr. MARZANI. Same answer.

Mr. MORRIS. When you were assigned to OSS?

Mr. MARZANI. Same answer.

Mr. MORRIS. When you were in military service serving in OSS?

Mr. MARZANI. Same answer.

Mr. MORRIS. When you were transferred to the State Department?

Mr. MARZANI. Same answer.

Mr. MORRIS. At the present time as you testify here this morning?

Mr. MARZANI. Same answer.

The CHAIRMAN. Further questions?

Mr. MORRIS. We would like to have into our record something of the functions of Presentations, Inc., but apparently we are not going to get it from this witness here this morning. Under those circumstances, I would like to desist from questioning.

The CHAIRMAN. There being no further questions, the committee will stand adjourned.

You are excused.

(Whereupon, at 12:10 p. m., the committee recessed, subject to call.)

INTERLOCKING SUBVERSION IN GOVERNMENT DEPARTMENTS

TUESDAY, JUNE 23, 1953

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT, AND OTHER INTERNAL
SECURITY LAWS, OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to recess, at 2:20 p. m., in room 457, Senate Office Building, Senator William E. Jenner (chairman of the subcommittee) presiding.

Present: Senators Jenner, Welker, and Butler.

Also present: Robert Morris, subcommittee counsel; Benjamin Mandel, director of research; and Robert C. McManus, staff member.

The CHAIRMAN. The committee will come to order.

Will you be sworn to testify in the open hearing, Miss Barrows?

Do you swear that the testimony you will give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss BARROWS. I do.

Mr. MORRIS. Mr. Chairman, before beginning the hearing today I would like to offer for the record some things that are pertinent to this Government inquiry.

One of the persons figuring in the testimony throughout the Government hearings has been one Allan R. Rosenberg. Rather than call Mr. Rosenberg in open session here today, what I would like to do is to have Mr. Mandel read for our record what Mr. Allan Rosenberg did before the House committee, when he was asked about the testimony of Elizabeth Bentley that he had been a member of the Communist organization.

Mr. MANDEL. Mr. Allan R. Rosenberg, in a hearing before the House committee on June 23, 1952, invoked the fifth amendment on the following topics:

(1) On the question of Elizabeth Bentley's testimony regarding him;

(2) On the question of his present membership in the Communist Party; and

(3) On the question of his attendance at Communist Party meetings.

Miss BARROWS. May I hear this again? I don't know if it is relevant.

The CHAIRMAN. It is not in relation to you.

Mr. MORRIS. Mr. Chairman, I would like also to offer for the record the statement of Federal service of Mr. Allan R. Rosenberg.

The CHAIRMAN. It may go into the record and become a part of the record.

(The document referred to was marked "Exhibit No. 255" and follows:)

EXHIBIT No. 255

UNITED STATES CIVIL SERVICE COMMISSION,
SERVICE RECORD DIVISION,
Washington 25, D. C., June 10, 1953.

STATEMENT OF FEDERAL SERVICE

Notice to individuals.—This record should be preserved—additional copies of service histories cannot be furnished due to limited personnel in the Commission. This record may be presented to appointing officers for their inspection.

Name: Rosenberg, Allan R.

Date of birth: April 21, 1909.

Authority for original appointment (examination from which appointed or other authority—Executive order, law, or other exemption): Schedule A-1-4.

Effective date	Nature of action	Position, grade, salary, etc.
Oct. 16, 1936	Excepted Appointment.....	Junior Attorney, P-1, \$2,000 per annum, Railroad Retirement Board, Washington, D. C.
Apr. 28, 1937	Resignation without prejudice (Position with National Labor Relations Board).	
Apr. 29, 1937	Excepted Appointment (49 Statute 451, July 5, 1935).	Assistant Attorney, P-2, \$2,600 per annum, National Labor Relations Board, Washington, D. C.
	Member of Bar, Virginia, 1930, Letter Jan. 25, 1939.	
	Admitted to Bar, D. C., 1936.	
Oct. 16, 1937	Promotion.....	Legal Assistant, P-3, \$3,200 per annum.
Dec. 20, 1938	Promotion.....	Legal Assistant, P-3, \$3,400 per annum.
July 1, 1939	Promotion.....	Legal Assistant, P-3, \$3,600 per annum.
May 16, 1940	Promotion.....	Attorney, P-3, \$3,800 per annum.
May 1, 1941	Intra-Agency Transfer.....	Attorney, P-4, \$3,800 per annum, National Labor Relations Board, Baltimore, Md.
Sept. 29, 1941	Intra-Agency Transfer (Section 1, Regulation III, Board of Legal Examiners).	Senior Attorney, P-5, \$4,600 per annum, National Labor Relations Board, Washington, D. C.
Dec. 21, 1941	Resignation without prejudice (Vol.) to accept position with Board of Economic Warfare.	
Dec. 22, 1941	Appointment by Transfer (Section 1, Regulation III, Board of Legal Examiners, Letter Dec. 21, 1941).	Senior Attorney, P-5, \$4,600 per annum, Board of Economic Warfare, Washington, D. C.
Sept. 1, 1942	Promotion (Section 1, Regulation III, Board of Legal Examiners, Letter Aug. 26, 1942).	Principal Attorney, P-6, \$5,600 per annum.
Dec. 9, 1942	Classification (Ramspeck Act and E. O. 8743. Approved for classification as a result of a Committee examination).	Principal Attorney, P-6, \$5,600 per annum, Board of Economic Warfare, Washington, D. C.
Feb. 7, 1943	Intra-Agency Transfer and Reassignment (Regulation IX).	Principal Economic Analyst, P-6, \$5,600 per annum, Board of Economic Warfare, Office of Economic Warfare Analysis—Blockade and Supply Branch, Washington, D. C.
Sept. 25, 1943	Transfer (Executive Order 9380).....	Foreign Economic Administration.
Feb. 22, 1944	Intra-Office Transfer and Promotion (DC 257, Rev. 3).	Chief of Section, P-7, \$6,500 per annum, Foreign Economic Administration, Bureau of Areas—Liberated Areas Branch, Balkans, Washington, D. C. Departmental.
Dec. 1, 1944	Intra-Agency Transfer and Promotion (DC 257, Rev. 3).	Chief, Economic Institutions Staff, P-8, \$8,000 per annum, Foreign Economic Administration, Bureau of Areas—Liberated Areas Branch, Economic Institutions Staff, Office of the Chief, Washington, D. C. Departmental.
Sept. 9, 1945	Intra-Agency Transfer.....	Division Chief, CAF-15, \$8,750 per annum, Foreign Economic Administration, Bureau of Areas European Branch Eastern European Office of the Chief, Washington, D. C. Departmental.
Sept. 27, 1945	Transfer (Executive Order 9630).....	Division Chief, CAF-15, \$8,750 per annum, Department of State, Washington, D. C. Departmental.
Dec. 31, 1945	Resignation (To enter private law practice).	

A. M. DEEM,
Chief, Audit Section.

The above transcript of service history does not include salary changes, intra-agency transfers within an organizational unit not involving changes from one

official headquarters or duty station to another, and promotions or demotions, since Federal agencies are not required to report such actions to the Commission.

Mr. MORRIS. Mr. Chairman, I would like to offer for the record the statement of Federal Service of George S. Wheeler.

The CHAIRMAN. It may go into the record and become a part of the record.

(The document referred to was marked "Exhibit No. 256" and follows):

EXHIBIT No. 256

UNITED STATES CIVIL SERVICE COMMISSION,
SERVICE RECORD DIVISION,
Washington 25, D. C., June 15, 1953.

STATEMENT OF FEDERAL SERVICE

Notice to individuals.—This record should be preserved—additional copies of service histories cannot be furnished due to limited personnel in the Commission. This record may be presented to appointing officers for their inspection.

Name: Wheeler, George S.

Date of birth: May 22, 1908.

Authority for original appointment (examination from which appointed or other authority—Executive order, law, or other exemption): Excepted—Executive Order June 29, 1934.

Effective date	Nature of action	Position, grade, salary, etc.
Aug. 16, 1934	Excepted Appointment.....	Member Research Staff (Special Expert) \$2,000 per annum, National Labor Relations Board, Washington, D. C.
Sept 16, 1935	Promotion.....	Associate Industrial Economist, P-3, \$2,000 per annum.
Nov. 16, 1936	Promotion.....	P-3, \$3,600 per annum.
Apr. 19, 1937	Classification (Executive Order 7587, Mar. 27, 1937. Form 375 filed).	Associate Industrial Economist, P-3, \$3,600 per annum, National Labor Relations Board, Washington, D. C.
Dec. 23, 1937	Promotion.....	Industrial Economist, P-4, \$3,800 per annum.
Oct. 19, 1938	Separation-Transfer.....	
Oct. 20, 1938	Appointment by Transfer.....	Senior Industrial Economist, P-5, \$4,600 per annum, Labor, Wage and Hour Division, Washington, D. C.
Oct. 1, 1941	Promotion.....	P-5, \$4,800 per annum.
Apr. 30, 1942	Separation-Transfer (To War Production Board).	
May 1, 1942	War Service Appointment by Transfer (Reg. IX, Sec. 3).	Principal Economist, P-6, \$5,600 per annum, War Production Board, Division of Civilian Supply, Washington, D. C.
Sept. 17, 1943	Separation-Transfer (To Office of Economic Warfare).	
Sept. 18, 1943	Appointment by Transfer (WS Reg. IX, Sec. 2a).	Chief of Section, P-7, \$6,500 per annum, Office of Economic Warfare, Office of Economic Warfare Analysis—Blockade and Supply Branch, Washington, D. C.
Sept. 25, 1943	Transfer (By Executive Order 9380)....	Foreign Economic Administration.
June 22, 1944	Transfer and Reassignment (DC 257, Revision 3).	Labor Economist, (Chief, Manpower Division) P-7, \$6,500 per annum, Foreign Economic Administration, Bureau of Areas, Liberated Areas Branch Economic Institutions, Washington, D. C.
June 1, 1945	Intra-Agency Transfer.....	Labor Economist, P-7, \$6,500 per annum, Foreign Economic Administration, Field, German Staff, London, England, Field.
Dec. 29, 1945	Separation-Transfer.....	Labor Economist, P-7, \$7,437.50 per annum.
Dec. 30, 1945	Appointment by Transfer Excepted (Schedule A-1-7).	Chief, Manpower Allocation Branch, P-7, \$7,437.50 per annum, plus 25% diff. W.A.R., European Theater, OMGUS, APO 742, c/o Postmaster, New York, N. Y.
Nov. 1, 1947	Leave Without Pay (For a period not to exceed 60 days).	Chief, Manpower (Allocation Branch, Man/5) P-7, \$10,000 per annum.
Dec. 29, 1947	Termination (Completion of Contract Agreement, Remaining in Prague, Czechoslovakia, to teach Technical University on completion of LWOP.)	

A. M. DEEM,
Chief, Audit Section.

The above transcript of service history does not include salary changes, intra-agency transfers within an organizational unit not involving changes from one official headquarters or duty station to another, and promotions or demotions, since Federal agencies are not required to report such actions to the Commission.

Mr. MORRIS. Mr. George S. Wheeler is not available as a witness, Senator.

I would like to offer into the record at this time an article published in Czechoslovakia, May, 1950. The first paragraph of that particular article is under the heading "Welcome, American Friends."

"I have cast up accounts. I have compared the America of Wall Street, Truman and Acheson with Czechoslovakia's earnest efforts to build a planned economy of prosperity for the people. I wish to place myself proudly in the camp of peace and progress."

Announcing in these words his decision to ask the Czechoslovak Government to grant asylum to himself and his family, George S. Wheeler, former Denazification Chief for the Labor Offices in the American Zone of Germany, declared last month that he "condemns and repudiates before the world the war policy of American imperialism."

The CHAIRMAN. It may go into the record and become a part of the record.

Mr. MORRIS. That is entitled "Czechoslovak Life, Number 5, Volume V."

(The document referred to was marked "Exhibit No. 257" and follows:)

EXHIBIT No. 257

[Taken from Factory Democracy at Work, May 1950, No. 5, vol. V, 6d, 15c, 12 Kes.]

"I have cast up accounts. I have compared the America of Wall Street, Truman and Acheson with Czechoslovakia's earnest efforts to build a planned economy of prosperity for the people. I wish to place myself proudly in the camp of peace and progress."

Announcing in these words his decision to ask the Czechoslovak Government to grant asylum to himself and his family, George S. Wheeler, former Denazification Chief for the Labor offices in the American zone of Germany, declared last month that he "condemns and repudiates before the world the war policy of American imperialism."

The warm reception which George Wheeler's action has had here, he told "Czechoslovak Life" in an interview, should be attributed above all to the desire of the Czechoslovak people, expressed at the many meetings he has addressed, for real friendship with the American people.

Wheeler says he has been kept busier than ever he remembers trying to fulfill all the requests from factories, schools and clubs to talk to them about conditions in America—and has had "some fairly tough questions to answer" about what Americans are thinking and doing on the most vital question of our day, the question of war and peace.

In a parallel statement, Mrs. George Wheeler, until recently correspondent of the Religious News Service in Prague, told the Czech press: "We want our children to know that we have nothing and want to have nothing in common with the treacherous preparations for a new war, with manufacture of atomic weapons, and that we proudly stand by the side of those who by their constructive efforts and work fight against war and defend peace."

George Wheeler and his wife say they have been surprised and profoundly moved by the deep friendliness with which their action in coming out publicly against the war policies of the present United States administration has been welcomed. Czech women in particular have been interested in Eleanor Wheeler's story of the difficulties of bringing up children decently in the hate- and race-crazed atmosphere of the Southern States, and the contrast she has drawn between this atmosphere and the calm and humane environment in which her four children are now growing up in Czech schools.

Women at one factory where she was invited to speak, she told us, formed on the spot a kind of patronage committee on her eldest son, Frank, aged 14, who is interested in electromechanics, and offered him about a dozen different future occupations together with training and education at the expense of the factory.

"We have people of 17 different nations working in our factory," they said, "Spaniards, Greeks, Africans, and we'll take your boy, too, or any other son of peace-loving folk."

In his statement, which was issued in the first place as a protest against the Gestapo-style treatment meted out by American occupation officials to the 58 Czechoslovak citizens flown against their will to Munich in March, Wheeler declared:

"This incident was for me the culmination of a whole chain of experiences which I had with American Military Government in Germany."

"In my function as policy chief of the labor offices in the American zone of Germany, I had at my disposal the complete files of all the members of the NSDAP, SS, Gestapo, and other Nazi organizations. However, in the placing of men in responsible positions I was asked not to carry out the original instructions but to follow the orders of the American Intelligence Service and place members of Nazi organizations although the files revealed their past, in these positions."

Called before the Loyalty Board of the United States Civil Service Commission in 1945, Wheeler was accused of associating with Negroes on an equal social basis and of a favorable attitude toward democratic and anti-Fascist organizations. Again before Loyalty Boards in 1946 and 1947 he was charged with trying to follow a Communist policy in Germany, that is, of refusing to carry out the renazifying policies of the State Department.

The Marshall plan, the Truman doctrine, the Atlantic pact, the so-called aid to backward countries, are the main pillars of the American imperialist plans for world domination, Wheeler emphasized:

"I must mention in this connection another instrument of American policy serving the same ends. I have in mind the enormous United States espionage apparatus. How ashamed I felt when I faced the people who were being so hospitable to me when espionage plots of the American Embassies came to light—whether it was the Rajk or Kostov trials, or the espionage activity of the American diplomats in Prague. To the bottom of my soul I feel ashamed of the crude lies and slanders which are being produced by the American Embassies and the official information services."

Coming to Czechoslovakia in 1947 after being dismissed without any reason given by American Military Government, Wheeler became acquainted with the Czechoslovak people, with their difficulties and constructive endeavors, their planned economy and growing prosperity, and "it was here—he said—that I first got to know real democracy."

"Hundreds of questions put to me at meetings here have proved one thing conclusively," Wheeler says, "and that is the people's tremendous eagerness for keenness and cooperation with progressive America."

Keenest and most frank questions came from the factory meetings: How will you work here for peace; do the American people know about the failure of denazification; what has happened to the shares belonging to Nazi Germans in United States concerns; what social provisions are there for United States students; how do workers behave toward Negroes in the United States; can fascism become a mass movement there; what is the standard of living of the American workers compared to ours; what is the economic position of farmers; what do they think about the victory of the Chinese people; how are they informed about Czechoslovakia; of what importance is the Wallace party to the peace movement; what would the American workers do in case of war.

Asked by the workers at the Prague CKD plant the question "What is America trying to gain by the cold war?" Wheeler answered:

"The question has to be put rather differently. The big capitalists want increased profits, as can be seen from any of their business journals or even a close analysis of the debates in Congress. As an economist I think that the profit motive is the main reason for the cold war, together with the fear of depression in the United States, as President Truman himself admitted in one of his recent economic reports.

The American press says you have given up your citizenship.

"We certainly have not given up our American citizenship. We do not think that the Truman administration is any more eternal than the Hoover administration proved to be."

Do you believe in a war against the Soviet Union with another Hitler army?

"I do not believe in war with the Soviet Army. I personally am very reluctant to think that the United States would start a war, and I know that the Soviet Union and the people's democracies would not start a war. It would be impossible for the United States to win if it started a war. They are talking about 30 to 40 Western divisions, but this is tiddlywinks compared with the number

of divisions with which Hitler tried and failed. Then also the working people in the continental countries would not fight for them, and the hundreds of millions in People's China and the colonial countries would be actively against them."

In an address given at the Socialist Academy on the American Way of Life Wheeler told his audience: "My country is a big country, rich in resources and fine working people. But it is far from being the paradise of free land and endless opportunity which used to attract millions of emigrants from Europe, and which Hollywood, the Voice of America, and USIS would like you to think it still is. I fully agree with the recent decision closing down the USIS offices in Prague because as an American I know that the USIS gave completely distorted picture of the American way of life—done deliberately to mislead, and cause unrest among the Czechoslovak people.

"In their hatred of the Soviet Union and the people's democracies, the Wall Street rulers and their hirelings, including the reactionary elements in this country, do not stop short of any means in their attempts to halt the progress toward socialism. And I, who have first-hand knowledge of the methods of the FBI and the CIC, appeal to you in the name of progress and peace to be vigilant and guard your great achievements against the criminal attempts of imperialism. I am happy to be in this camp, which is unconquerable; and just as you, my friends, I too want to work for peace by placing my knowledge and experience at the disposal of the working people of this country."

Mr. MORRIS. Mr. Chairman, in connection with the appearances of Thomas Davin and Harold King, who appeared before this committee in open session in the Educational hearings, I would like to have received in the record an article entitled "From the Managing Editor's Desk," appearing in the Brooklyn Tablet, Saturday, June 13, 1953, in connection with the organization called the Committee of Catholics for Human Rights.

The CHAIRMAN. It may go into the record and become a part of the record.

(The document referred to was marked "Exhibit No. 258" and follows:)

EXHIBIT No. 258

[From the Brooklyn Tablet, June 13, 1953]

FROM THE MANAGING EDITOR'S DESK

HISTORICAL NOTE

The news article on page 1 stating Senator William Jenner had evidence that a Communist Party cell existed to infiltrate the Catholic Church makes interesting reading. A witness before the Senate Internal Security Subcommittee, one Harold King, a New York City public school teacher, who had been identified by other witnesses as a Communist, admitted he was a member of the Committee of Catholics for Human Rights. When asked if he was a member of a Communist cell, the special purpose of which was to influence Catholic policy, he refused to answer on constitutional grounds.

Our readers with good memories will recall how the Tablet some years back exposed this committee, which was made up of a number of well-known Catholics—it was headed for a time by Senator James Murray of Montana and at another time by Supreme Court Justice Frank Murphy.

The committee in 1939 started a monthly publication called the Voice for Human Rights, professedly dedicated to the protection of human rights. The late Prof. Emanuel Chapman was the executive director of the organization, with Mr. King very important but in the background. The first issue of the Voice was ushered in with tremendous publicity, with 250,000 copies printed; Gene Tunney sold the first copy to Mayor LaGuardia on the city hall steps; leaders in church and state saluted it. Mrs. Eleanor Roosevelt stated it recognized a great cause and she predicted future success. The daily press gave it widespread publicity as an outstanding venture.

The publication carried pictures of bishops, priests and laymen denouncing "anti-Semitism." Many quotations were out of context, practically all without authority, and many were plagiarized. Nothing was said about anti-Christi-

anity, or the persecution of Catholics and although Nazis were condemned in every paragraph, not a murmur was uttered against Communism.

The following week the Tablet called the Voice a preposterous fraud, meant to divide Catholics by making Father Coughlin a whipping boy, and using anti-Semitism to hide the crimes of communism. Our criticism was taken so seriously the executive board of the Committee of Catholics for Human Rights held a special meeting, at which it was decided to take the Tablet to task in its second issue and to have the "Voice" circulated outside the churches in the Diocese of Brooklyn. Seemingly we had hit the bull's eye.

The second issue of the Voice was held up a month to do a complete job on us. It was issued in September 1939. A half dozen articles—several from Catholic papers—scored us severely, but none met our criticism. We replied by asking Mr. Chapman and his board to denounce communism, to voice some disapprobation of those who had enslaved the millions of Christians in Russia, to condemn anti-Christianity with anti-Semitism. We referred to the committee as being "bought and paid for"—a statement we were in a position to prove, for we knew the financial backers of the venture. Then, Dr. Francis McMahon of Notre Dame University and several others in the next issue again took up the cudgels against us, and with considerable bitterness; nor did they face the question.

Meanwhile the Committee for Human Rights was completely unsuccessful in having the publication sold outside churches in this diocese. One more issue was printed and it folded up.

REVIVAL

In April of 1944 the Committee of Catholics for Human Rights was revived and with the same cast of characters but without the Voice. One of its big ventures was a money-raising public dinner in the Hotel Roosevelt. It was held November 28, 1946. Previous to the occasion the annual Msgr. John A. Ryan Award for Human Rights was established. Auxiliary Bishop Bernard Sheil of Chicago and Philip Murray were the recipients. Among the speakers was a well-known Communist and others who have since been revealed as champions of the Soviet. The following year—March 3, 1947—in the Hotel Waldorf-Astoria—a similar dinner was held and the Ryan awards were given to Basil O'Connor and Archbishop Richard Cushing, who did not appear to accept the honor. Out of the 800 at this dinner of the Committee of Catholics for Human Rights only a small proportion were Catholics. Senator Murray at this dinner took us to task.

The Tablet again asked the same questions, namely, why is communism never attacked; why are the Poles and other Catholics being persecuted, never defended. America, in an editorial, said we were uncharitable; the Commonwealth offered adverse comment; Dr. McMahon put us in the lunatic fringe, although we only quoted Pope Pius XI on the menace of communism, etc. But the two Socialist papers—the Call and the New Leader—did a public service.

The Call looked into the matter and revealed the late Mr. Chapman as a fellow-traveler, and the Committee of Catholics for Human Rights as a rather phony outfit. The New Leader checked up our charges and discovered the executive secretary of the Committee of Catholics for Human Rights was identified with seven Communist-front groups.

When asked why he did not follow the Pope and the American hierarchy in condemning the Communist persecution of Catholics and the enslavement of millions of human beings by the Soviet, Mr. Chapman as quoted in the New Leader said if he did "he would be lining himself up with the Brooklyn Tablet."

The last was our punchline and helped bring about the resignation of many members from the committee. Now, 10 years later, Senator Jenner has a witness a key man in the Committee of Catholics for Human Rights who has been identified by others as a Red and who refuses to deny that he was a member of a Communist cell.

A week previously Senator Jenner had before him another witness, Thomas Davin, who had been accused of being a Communist, and when he was asked if he had been active on the Committee of Catholics for Human Rights he replied he must decline to answer on the grounds that a response "might tend to incriminate me." Several weeks before that, another member of the same committee of Catholics, Julius A. Hlavaty, a New York public school teacher, refused to affirm or deny he was a Communist; he has since been expelled from the public school system.

TESTIMONY OF ALICE PRENTICE BARROWS, BLUE HILL, MAINE,
ACCOMPANIED BY HER ATTORNEY, DAVID REIN, WASHINGTON,
D. C.

Mr. MORRIS. Miss Barrows, will you give your full name and address to the reporter?

Miss BARROWS. Alice Prentice, P-r-e-n-t-i-c-e, Barrows.

Mr. MORRIS. What is your present address?

Miss BARROWS. East Blue Hill, Maine.

Mr. MORRIS. What is your present occupation?

Miss BARROWS. I have retired. I am writing just casually as I am interested—I have no occupation.

Mr. MORRIS. You say you are a writer?

Miss BARROWS. No; I am writing, but, you know, I am retired—I am 75.

Mr. MORRIS. But you do say that you are writing?

Miss BARROWS. Yes, I am writing.

Mr. MORRIS. For whom are you writing?

Miss BARROWS. Just myself. I haven't any publisher. I am just doing it because it amuses me.

Mr. MORRIS. You are writing personal notes?

Miss BARROWS. Yes. I wrote something on my remembrances of educational schools, and so on.

Mr. MORRIS. I see. Are you sending your writings to any schools?

Miss BARROWS. No, not to anybody.

Mr. MORRIS. Now, Miss Barrows, you have had a rather long period of Federal employment; have you not?

Miss BARROWS. Yes, 23 years.

Mr. MORRIS. I think you stated in executive session that you commenced work with the United States Government in 1919?

Miss BARROWS. Yes.

Mr. MORRIS. Were you a specialist in industrial and economic relations in education, with the Department of Interior?

Miss BARROWS. With the Office of Education, Department of Interior.

Mr. MORRIS. What was the nature of your assignment at that time?

Miss BARROWS. Actually I was doing school-building surveys then, but Dr. Claxton, the then Commissioner, gave me that title, because he felt that he wanted to have in the Office of Education a record of the fact that in school-building surveys, you studied the community.

For example, when you are prognosticating the number of buildings, and where you have to know where is the business district, where is the manufacturing district, and so on. This is an economic and social and industrial study of the particular city that you are investigating with a view to getting a correct school-building program.

Mr. MORRIS. And you commenced that in 1919?

Miss BARROWS. Yes.

Mr. MORRIS. Yet you say it formally commenced in March 1920; is that right?

Miss BARROWS. Well, my recollection—I happened to be going through my files, and the August 1919 was the certificate signed by Franklin K. Lane.

Mr. MORRIS. I would like to ask you if you were at that time a member of the Communist Party?

Miss BARROWS. As I have said before, my Puritan ancestors were the ones who refused in England in the 16th century to answer questions of their beliefs by the ecclesiastical inquisition, stating that no one had a right to ask anyone to testify against himself, and that in so testifying thereby possibly injuring others.

Those same ancestors came here in 1630—

Mr. MORRIS. Miss Barrows, may I break in? You have an attorney, and you realize that if you project yourself into the position of your Puritan ancestors, and that is your position now, you are not entitled to refuse to answer the questions because that, as you have stated it so far, at least, is no reason to refuse to answer the questions put to you. You recognize that?

Miss BARROWS. No; I am explaining why I am going to invoke the fifth amendment, because I consider that the fifth amendment is absolutely basic, and I feel that there has been a great deal of misunderstanding of it in the press, and I want to explain that I, from my own family history, know that the fifth amendment was to protect the innocent, and that I feel that it is one of the most basic, with the first amendment, of all amendments in our Bill of Rights.

Therefore, this is merely a preliminary statement as to the fifth amendment, and why I think it is so important, because I think it is most unfortunate that apparently over and over again people now say invoking the fifth amendment proves their guilt. This is a terrible thing when the fifth amendment was more basic. Our ancestors brought this here and put it into their colonial laws, even before we had the Constitution, and it was for the protection of the innocent.

I am simply saying that as a preliminary remark, because I have been very much worked up.

Senator WELKER. I would like your observation on how the fifth amendment protects the innocent.

Miss BARROWS. I am simply telling you that this is the purpose for which it was put in, and any lawyer—

Senator WELKER. You apparently know a great deal about it. I want you to tell me how the fifth amendment protects the innocent.

Miss BARROWS. As any law protects the innocent as well as the guilty.

Senator WELKER. How are the innocent protected by the fifth amendment? It seems to me that they do not need any protection.

Miss BARROWS. Senator, all laws are protection for the innocent or the guilty. Many innocent people are hauled before both committees and courts, and they have to be protected.

Mr. MORRIS. Well, Miss Barrows, you understand that when you invoke the fifth amendment you have to honestly believe that an honest answer on your part would at least furnish a link in a chain of evidence that would lead to your prosecution for a crime. There is the significance. Mr. Rein is there with you and you must realize the full significance of what you are doing.

(Witness confers with counsel.)

Miss BARROWS. Well, I understand that, yes.

Mr. MORRIS. Just as long as you understand the significance of your statement, the committee is satisfied.

Miss BARROWS. All right, but I wanted to get this into the record, because I am very much worked up on that subject.

Senator WELKER. You want us to understand that you are absolutely innocent when you invoke that privilege, or do you invoke it on both grounds?

Miss BARROWS. I have answered Mr. Morris.

Senator WELKER. You will answer me. I work here too.

Miss BARROWS. My point is—Mr. Morris, will you repeat your question?

Senator WELKER. Just answer mine. I want it understood for the record whether or not you are invoking the privilege because you are innocent or because of the fact that it might tend to incriminate you.

Miss BARROWS. The fifth amendment, to be invoked involves—I had better find out this from you.

(Witness confers with counsel).

Miss BARROWS. I invoke the fifth amendment for the reasons stated by Mr. Morris and for the reasons stated by me.

Senator WELKER. Which is that? Is that because you are innocent or because it might tend to incriminate you?

Miss BARROWS. They were those reasons, and they are in the record.

Senator WELKER. I am asking you: Are you invoking the fifth amendment because of the fact of your innocence or because of the fact that it might tend to incriminate you?

Miss BARROWS. As I have said before, and it is my full answer, I am invoking it for the reasons that Mr. Morris has given and for the reasons that I have given, which are the same as Mr. Morris'.

Senator WELKER. Will you please answer my question? I do not care what Mr. Morris asked. I want to know the basis of your invoking it.

Miss BARROWS. I am sorry, but I think that I am perfectly justified in making that reply.

Senator WELKER. You made quite a speech here a moment ago about protecting the innocent. I want to know whether or not you are basing your objection and your invocation of the right on the fact of your innocence or on the fact that it might tend to incriminate you?

Miss BARROWS. When I was discussing the fifth amendment I was discussing the history of the fifth amendment.

Senator WELKER. I understand that.

Miss BARROWS. That is what I was saying when I spoke about its being for the protection of the innocent as well as the guilty. That was all I was doing, was discussing the history of it.

Mr. MORRIS. Let me put it this way: Were you at that time during the period of your first employment as a specialist in industrial and economic relations in education, attending Communist Party meetings?

(Witness confers with counsel.)

Miss BARROWS. I invoke the fifth amendment.

Mr. MORRIS. Now, on July 1, 1924, did you receive a promotion and become a specialist in city schools, at the rate of \$3,800 per annum?

Miss BARROWS. Yes.

Mr. MORRIS. Is that also with the Department of the Interior?

Miss BARROWS. Yes—at least I don't think it was Federal Security yet.

Mr. MORRIS. On January 4, 1928, were you reassigned and classified as an educationist (specialist in school buildings) P-4, at \$3,800 per annum?

Miss BARROWS. Yes.

Mr. MORRIS. What is an educationist, Miss Barrows?

Miss BARROWS. I never understood that term. It seems to be you are an educator that is doing school buildings.

Mr. MORRIS. Then were you transferred to the Office of Education in the Federal Security Agency at some later date?

Miss BARROWS. Yes. The Office of Education was transferred to the Federal Security Agency.

Mr. MORRIS. I see. And you went with the Office?

Miss BARROWS. Yes.

Mr. MORRIS. Were you a member of the Communist Party at that time?

Miss BARROWS. I invoke the fifth amendment.

Mr. MORRIS. When was that Office transferred?

Miss BARROWS. I don't remember.

Mr. MORRIS. Was that in 1941 or earlier?

Miss BARROWS. Oh, no; that was soon after. I haven't any idea when it was. I thought it was—what was the date of that?

Mr. MORRIS. Well, you see, the difficulty is that it comes between the date of July 1, 1928, when you were promoted to P-5, \$4,600 per annum, and October 1, 1941, where you were promoted to educationist (specialist in school buildings), P-5, at \$4,800 per annum, and it does not indicate from this record—

Miss BARROWS. Where is the Federal Security?

Mr. MORRIS. It comes between these two dates.

Mr. REIN. It says "Transferred April 24, 1939." It is indicated that it was transferred.

(Statement of Federal service marked "Exhibit No. 258A" and inserted here for reference:)

EXHIBIT No. 258A

UNITED STATES CIVIL SERVICE COMMISSION,
SERVICE RECORD DIVISION,
Washington 25, D. C., June 8, 1953.

STATEMENT OF FEDERAL SERVICE

Notice to individuals.—This record should be preserved—additional copies of service histories cannot be furnished due to limited personnel in the Commission. This record may be presented to appointing officers for their inspection.

Name: Formerly Fernandez; Barrows, Alice B.

Date of birth: November 15, 1879.

Authority for original appointment (examination from which appointed or other authority—Executive Order, Law, or other exemption): Specialist in Industrial and Economic Relations in Education 84.40.

Effective date	Nature of action	Position, grade, salary, etc.
Mar. 1, 1920	Probational Appointment.....	Specialist in Industrial and Economic Relations in Education, \$3,500 per annum, INTERIOR, Office of Education, Washington, D. C.
July 1, 1924	Promotion.....	Specialist in City Schools, \$3,800 per annum.
Jan. 4, 1925	Reassignment.....	Educationist (Specialist in School Buildings) P-4, \$3,800 per annum.
July 1, 1925	Promotion..... (Office of Education Transfer to Federal Security Agency. Reorganization Plan I, dated Apr. 25, 1939.)	P-5, \$4,600 per annum.
Oct. 1, 1941	Promotion.....	Educationist (Specialist in School Buildings) P-5, \$4,800 per annum.
Aug. 31, 1942	Retired.....	
May 4, 1936	Temporary Appointment.....	Collaborator (without compensation).
Aug. 3, 1936	Termination (Work completed).....	Resettlement Administration, Washington, D. C.

A. M. DEEM,
Chief, Audit Section.

The above transcript of service history does not include salary changes, intra-agency transfers within an organizational unit not involving changes from one official headquarters or duty station to another, and promotions or demotions, since Federal agencies are not required to report such actions to the Commission.

Mr. MORRIS. What degrees do you hold, Miss Barrows?

Miss BARROWS. I graduated from Vassar, A. B.

Mr. MORRIS. In what year?

Miss BARROWS. That was in 1900.

Mr. MORRIS. When did you retire from Federal employment, Miss Barrows?

Miss BARROWS. In August 1942.

Mr. MORRIS. What degrees do you hold?

Miss BARROWS. I hold just the A. B.

Mr. MORRIS. Just the A. B. degree?

Miss BARROWS. Yes.

Mr. MORRIS. Now, you have lectured at Vassar on several occasions, have you not, Miss Barrows?

Miss BARROWS. I don't remember. I suppose I have.

Mr. MORRIS. Pardon me?

Miss BARROWS. I suppose I have. I don't remember specifically. I taught there.

Mr. MORRIS. When did you teach there?

Miss BARROWS. Well, after I graduated, I taught in the Packard Collegiate Institute, and then in the Ethical Culture School, and was asked to come back to Vassar and teach English in the freshman, sophomore and junior classes, from about 1905 through 1907.

Mr. MORRIS. You have been up to the Vassar campus more recently than that, have you not.

Miss BARROWS. I have been back to all my reunions—not all of them, I haven't been back to the last few.

Mr. MORRIS. You have been active in the American League for Peace and Democracy?

Miss BARROWS. I invoke the fifth amendment.

Mr. MORRIS. Were you in charge of publicity of the Washington Chapter of the American League for Peace and Democracy?

Miss BARROWS. I invoke the fifth amendment.

Mr. MORRIS. Were you a member of the American League for Peace and Democracy and did you give, as a listing for your chapter, the Office of Education in the Federal Government?

MISS BARROWS. I invoke the fifth amendment.

MR. MORRIS. Were you director of the Congress of American Soviet Friendship in 1943?

MISS BARROWS. I invoke the fifth amendment.

MR. MORRIS. Were you the secretary of the Marion Bachrach Defense Committee in 1952?

MISS BARROWS. I invoke the fifth amendment, and I want to say that I am sure if my uncle, the former Speaker of the House, were alive today he would really condemn all the purposes of this committee as inimical to the best interests of the United States.

THE CHAIRMAN. When your uncle was Speaker of the House, I am sure that he was not confronted with a Communist conspiracy intending to overthrow the Government of this country by force and violence, was he?

MISS BARROWS. My uncle believed literally in the fifth amendment.

THE CHAIRMAN. How about the Communist conspiracy? Was he confronted with that proposition at that time?

MISS BARROWS. I don't suppose so.

THE CHAIRMAN. Proceed, Mr. Morris.

MR. MORRIS. Mr. Chairman, I would like to point out that the last committee about which we asked Miss Barrows was the Committee for the Defense of Marion Bachrach. Marion Bachrach was one of the defendants in the second Smith Act trial in New York and, because of her severe illness, certain people were trying to obtain a severance in Miss Bachrach's case. We have here some papers which Mr. Mandel will identify. One of them is signed "Alice Prentice Barrows, Secretary."

Are you Alice Prentice Barrows?

MISS BARROWS. Yes; I am Alice Prentice Barrows.

MR. MORRIS. Is that your signature, Miss Barrows?

Document handed to the witness.)

(Witness confers with counsel.)

MISS BARROWS. I invoke the fifth amendment.

MR. MORRIS. And will you identify these two documents, Mr. Mandel?

MR. MANDEL. I have here photostats of literature sent out by the Committee for the Defense of Marion Bachrach, with accompanying letters, which I offer for the record.

THE CHAIRMAN. They may go into the record and become a part of the record.

(The document referred to was marked "Exhibit 259" and follows:)

EXHIBIT No. 259

ORGANIZATION COMMITTEE FOR THE DEFENSE OF MARION BACHRACH

(Received for files August 14, 1952)

NEW YORK, N. Y.

DOROTHY BREWSTER,

Treasurer, 310 Riverside Drive, New York, N. Y.

DEAR FRIEND: Because of a severe illness, Marion Bachrach has been severed from the case of the 17 victims of the Smith Act in New York. However, she is still under indictment and will not be cleared until this case is won.

Marion, as treasurer of the self-defense committee, did a splendid job in raising funds for defense, continuing the work long past the time when her health would permit.

Now from room 810, Beth Israel Hospital, 17th Street and Stuyvesant Square, New York 14, N. Y., her first question every day is, "Has any more money come in?"

Though still critically ill, her chief concern is not for herself but for victory in the historic struggle being waged at the trial at Foley Square for the preservation of our most precious democratic liberty: The right to freedom of thought, speech, and assembly. Always these struggles have been led by a minority that dared calumny and persecution for their beliefs. Always in the past, the fight has been won. It must be won again.

It is the constitutional liberties of all Americans that are being defended in this trial. We ask that you give a get-well contribution to the Marion Bachrach committee, and if you would send her a cheerful note this would be a great help, as she cannot read newspapers yet.

Sincerely yours,

Alice Prentice Barrows,
Secretary.

Mr. MORRIS. Miss Barrows, have you been a sponsor of the Cultural and Scientific Conference for World Peace, issued by the National Council of the Arts, Sciences, and Professions, in 1949?

Miss BARROWS. I invoke the fifth amendment.

Mr. MORRIS. Mr. Mandel, do we have a listing of the people who supported that particular organization?

Mr. MANDEL. I have here a photostatic copy of the list issued by the Cultural and Scientific Conference for World Peace, dated March 25 to 27, 1949, giving a partial list of sponsors, with Alice Prentice Barrows as a member of that list.

Mr. MORRIS. May that go into the record?

The CHAIRMAN. It may go into the record and become a part of the record.

(The document referred to was marked "Exhibit 260" and follows:)

SPONSORS, CULTURAL AND SCIENTIFIC CONFERENCE FOR WORLD PEACE

(New York City, March 25-27, 1949)

Berenice Abbott	Rev. Wade Crawford	Dr. E. M. Bluestone
Rev. Charles B. Ackley	Barclay	Prof. Henry Blumberg
Louis Adamic	S. L. M. Barlow	Hans Blumenfeld
Charles Christopher	Prof. Cyrus P. Barnum,	Dr. Ernst P. Boas
Adams	Jr.	Aaron Bohrod
Franklin P. Adams	Alice Prentice Barrows	B. A. Botkin
Rev. Stacy Adams	Edward K. Barsky	Richard O. Boyer
Dr. Thomas Addis	Prof. Bernard Baum	Ray Boyle
Stella Adler	Mordecai Bauman	Joseph Brainin
Cecelia Ager	Howard Bay	Prof. Theodore Brameld
Gregory Ain	Prof. Irwin R. Beiler	Millen Brand
Robert E. Alexander	Thomas Bell	Jocelyn Brando
Oliver S. Allen	Elmer Bendiner	Marlon Brando
Prof. Ethel J. Alpenfels	Aline Bernstein	Prof. Dorothy Brewster
Ralph Alswang	Leonard Bernstein	J. Edward Bromberg
Kurt Anderson	Victor Bernstein	Lucy Brown
George Antheil	Walter Bernstein	Rev. Thoburn T. Brum-
Robenia Anthony	Herbert J. Biberman	baugh
Herbert Aptheker	Father Shelton Hale Bi-	Lucile Bruner
Bruno Aron	shop	Henrietta Buckmaster
James Aronson	Dr. Algernon D. Black	Richard Burgin
Simon Arsen	Boris Blai	Prof. Edwin Berry Bur-
Edith Atwater	Betsy Blair	gum
Prof. Marston Balch	Henry Blankfort	Paul Burlin
William Bales	Michael Blankfort	Richard G. Burlingame
W. W. Ballard	Marc Blitzstein	David Burluk
Zlatko Balokovic	Dr. Joshua Bloch	Prof. E. A. Burt
Josephine C. Barbour	Kermit Bloomgarden	Adolph Busch

EXHIBIT 260—Continued

Dr. Allan M. Butler	Prof. Dorothy W. Douglas	Ernest A. Grunsfeld, Jr.
Witter Bynner	Prof. Harl R. Douglass	Jack Guilford
Angus Cameron	Olin Downes	Robert Gwathmey
Antoinette Cannon	Muriel Draper	Uta Hagen
Dr. George D. Cannon	Paul Draper	Ernst Halberstadt
Rabbi Jonah E. Caplan	W. E. B. DuBois	Dawid Hall
Rabbi D. A. Jessurun Car- dozo	Jane Dudley	Margaret Halsey
Prof. A. J. Carlson	James Dugan	Prof. Talbot Hamlin
Prof. Rudolf Carnap	Barrows Dunham	Dashiell Hammett
Morris Carnovsky	Arnand D'Usseau	E. Y. Harburg
Saul Carson	Richard Dyer-Bennett	Minna Harkavy
Alan Carter	Prof. Abraham Edel	Prof. Georgia Harkness
Norman Cazden	Prof. Stuart Edie	Prof. Frederick P. Harris
Dr. Robert C. Challman	Prof. Albert Einstein	Dr. Roy E. Harris
Rev. Mark A. Chamberlin	Dr. Robert H. Ellis	Shelby M. Harrison
Charles Chaplin	Dr. Haven Emerson	Pearl M. Hart
Allan Chase	Prof. Thomas I. Emerson	Frank E. Hartung
Prof. M. N. Chatterjee	Guy Endore	Prof. Marion Hathway
Serge Chermayeff	Lehman Engel	Prof. David Hawkins
Edward Chodorov	Philip Evergood	Rev. Edler G. Hawkins
Jerome Chodorov	Prof. Henry Pratt Fair- child	Jane L. Hayford
Henry S. Churchill	Fyke Farmer	Prof. Michael Heidelber- ger
Rev. Karl M. Chworowsky	Howard Fast	Prof. Karl F. Heiser
Nicolai Cikovsky	Prof. Robert D. Feild	Lillian Hellman
Dr. Rufus E. Clement	Jose Ferrer	Edna Wolff Henner
W. G. Clugston	Leon Feuchtwanger	Hermann Herrey
Robert M. Coates	Sidney Finkelstein	Stefan Heym
Lee J. Cobb	Dorothy Canfield Fisher	Sammy Heyward
Dr. Stanley Cobb	Irving H. Flamm	Nat Hiken
Rabbi J. X. Cohen	Rev. Joseph Fletcher	Dr. Ernest R. Hilgard
Lester Cole	Prof. Frederick Wilhelm Foerster	Rev. Charles A. Hill
Fannie Cook	Prof. Joseph K. Folsom	Dr. Cecil E. Hinshaw
Peter Copeland	Clark Foreman	Carmelita Hinton
Aaron Copland	Lukas Foss	Joseph Hirsch
Paul Corey	Sidney Fox	Ira A. Hirschmann
Norman Corwin	Elizabeth Frazier	Rose Hobart
Prof. Frederick A. Courts	Prof. Frank S. Freeman	Dr. W. Ernest Hocking
Thomas Creighton	Joseph Gaer	Rev. Chester E. Hodgson
Kyle Crichton	Arthur Gaeth	Syd Hoff
Prof. Abraham Cronbach	Will Geer	Judy Holliday
Dr. Ralph Crowley	Louis Gelders	Libby Holman
Rev. John W. Darr, Jr.	Rev. Dr. Louis C. Ger- stein	Carroll Hollister
Howard DaSilva	Leatrice Joy Gilbert	Prof. Eugene C. Holmes
Jules Dassin	Barbara Giles	Prof. Lee Elbert Holt
Dr. Leo M. Davidoff	Josiah W. Gitt	Charles P. Howard
Jo Davidson	Vincent Glinsky	John N. M. Howells
Hallie Flanagan Davis	Max Goberman	Leo Huberman
Dr. Herbert John Davis	Rabbi Herbert S. Gold- stein	Rev. Kenneth de P. Hughes
Dr. Jerome Davis	Vladimir Golschmann	Langston Hughes
Dr. Percy M. Dawson	Henrietta L. Gordon	Kim Hunter
Prof. John J. DeBoer	Jay Gorney	Mary Hunter
Adolf Dehn	Harry Gottlieb	Dr. W. A. Hunton
Roger de Koven	Morton Gould	Arthur Hurwich
Jacob Deschin	James Gow	Leo T. Hurwitz
Stephen Deutch	Charles Graham	Guy Hutchins
Albert Deutch	Shirley Graham	Alfonso Iannelli
Earl B. Dickerson	William Gropper	Charles Irving
Dr. Albert C. Dieffenbach	Chaim Gross	Leon E. Janney
Dr. Hedley S. Dimock	Paul Grotz	Werner Janssen
Dr. Marshall E. Dimock	Sidonie Gruenberg	Prof. Otto T. Jelinek
Edward Dmytryk		Dr. Charles S. Johnson
Martha Dodd		Crockett Johnson
Anton Dolin		

EXHIBIT 260—Continued

Edna Ruth Johnson
Reginald D. Johnson
Dr. David D. Jones
Matthew Josephson
Robert Josephy
Robert Joyce
Dr. Elvin A. Kabat
Albert E. Kahn

Prof. George Kalnitsky
Garson Kanin
Rabbi Mordecai M. Kaplan
Paul Katz
Nora Kaye
Philip O. Keeney
Arthur Kennedy

Stetson Kennedy
Robert W. Kenny
Rockwell Kent
Prof. T. J. Kent, Jr.
George R. Kernodle
Hilde Kiang

Mr. MORRIS. Miss Barrows, I think we asked you in executive session about a certain dinner party held in your home in 1933, which you pointed out to the committee had received some publicity at some subsequent time. There was a dinner party in your home, wasn't there?

Miss BARROWS. Yes.

Mr. MORRIS. Where was your home?

Miss BARROWS. I was in Washington, but temporarily we were living in Virginia for the summer.

Mr. MORRIS. Who were the guests at dinner on that evening? Do you remember?

Miss BARROWS. They were Robert W. Bruere, Hildegard Kneeland, Mary Taylor, David Cushman Coyle, and Laurence Todd.

Mr. MORRIS. Now, was Laurence Todd with Tass at that time or was he with Federated Press?

(Witness confers with counsel.)

Miss BARROWS. I don't know what he was with. I am not sure. He may have been with Tass at that time but I am not sure.

Mr. MORRIS. Miss Barrows, were you a Communist at that time?

Miss BARROWS. I invoke the fifth amendment.

Mr. MORRIS. Now, did you make any prearrangements with Mr. Lawrence Todd in connection with this dinner party?

Miss BARROWS. Certainly I made no prearrangements with anybody. This was a social affair, and I invited guests.

Mr. MORRIS. I see. And had Laurence Todd been an associate of yours prior to that time, or just a personal friend?

Miss BARROWS. Just like many other friends.

Mr. MORRIS. Had you known him very well? I wish you would tell the committee to what extent you knew Mr. Todd?

Miss BARROWS. I knew Mr. Todd as I knew all the other friends here in Washington, neither a close friend or more than any of the others.

Mr. MORRIS. Tell me this: Had you attended Communist Party meetings with Mr. Todd?

(Witness confers with counsel.)

Miss BARROWS. I certainly didn't.

Mr. MORRIS. You did not?

Miss BARROWS. No.

Senator WELKER (presiding). Did you know Mr. Todd to be a member of the Communist Party?

Miss BARROWS. No.

Mr. MORRIS. Are you a member of the Communist Party now.
Miss BARROWS.

Miss BARROWS. I invoke the fifth amendment.

Mr. MORRIS. Were you a member of the Communist Party when you left the Government employment in 1942?

Miss BARROWS. I invoke the fifth amendment.

Mr. MORRIS. I have just one question, Miss Barrows, and then Senator Welker and Senator Butler probably have more.

Would you give us a general description of what your role was as an educationist, using the Government's own term, while you were employed in the Federal Government?

Miss BARROWS. From the very beginning of the work, all through I was the person in charge of making school building surveys and doing school building research, and though the titles were different, that is the actual work that, as I remember it, I did throughout.

I may have written various different bulletins, and so on, but that was primarily my work.

It consisted of—in those days there was a great deal of school building because of the First World War, and the fact that school building had stopped, and when a local community was having difficulties in making up its mind, they would ask to have an expert come in and the city would pay for it, and I would go out and make the school building survey, and give the estimate of number of buildings needed and the cost.

For example, in Portland, Oreg., a population of 360,000, I made a school building survey for the city. I think there were something over 25 surveys done there.

Mr. MORRIS. Have you ever recruited teachers into the Communist Party?

(Witness confers with counsel.)

Miss BARROWS. No.

Mr. MORRIS. You never have?

Miss BARROWS. (Shakes head in negative.)

Senator WELKER. Have you ever recruited anyone into the Communist Party?

Miss BARROWS. I invoke the fifth amendment.

Senator WELKER. Have you ever met a Communist in your lifetime?

Miss BARROWS. I suppose everybody has, more or less, haven't they?

Senator WELKER. Well, now, tell me some that you have met?

Miss BARROWS. I invoke the fifth amendment.

Senator WELKER. I insist that you answer since you opened up the subject matter.

Miss BARROWS. I did not say.

Senator WELKER. And told me that you had.

Miss BARROWS. I did not say one way or the other.

Senator WELKER. You said that you supposed everyone had met a Communist. With that supposition, will you tell me what caused you to believe that you, along with everyone else, have met a Communist?

(Witness confers with counsel.)

Miss BARROWS. I invoke the fifth amendment.

Senator WELKER. Now, at this dinner party about which counsel inquired, did you see any Communists there that night?

Miss BARROWS. What? Is this the Wirt dinner?

Senator WELKER. Yes, the one that you had, the social affair that you had when you invited your friends.

Miss BARROWS. I have already invoked the fifth amendment, I understood, in regard to the people at that party.

Mr. MORRIS. I do not think that you have.

Miss BARROWS. Because you asked me something about Mr. Todd.

Mr. MORRIS. You said that you had never attended Communist meetings with Mr. Todd.

Miss BARROWS. I thought you had asked me about something else. What was your question, Senator?

Senator WELKER. Were any Communists present at that social meeting, at that dinner meeting that you said you had, about which you testified?

(Witness confers with counsel).

Miss BARROWS. I invoke the fifth amendment.

Senator WELKER. I think counsel asked you whether or not you ever attended any secret meetings of the Communist Party.

Miss BARROWS. I don't recollect that he asked me that question.

Senator WELKER. Then I will ask you: Have you ever attended any secret meetings of the Communist Party?

Miss BARROWS. I invoke the fifth amendment.

Senator WELKER. Senator Butler.

Senator BUTLER. I have no questions.

Mr. MORRIS. Senator, I have some more questions.

When did you first meet Henry Collins, Miss Barrows?

Miss BARROWS. I don't have any idea, Mr. Morris. As I said in secret session, I am 75 years old and I cannot remember back. That was some time—you are referring now to that period?

Mr. MORRIS. Let me say this: You served here in the last year or two on a committee with Mr. Collins, did you not?

Miss BARROWS. Yes—what do you mean "on a committee?"

Mr. MORRIS. He was on the Marion Bachrach Committee with you?

Miss BARROWS. I invoke the fifth amendment. That was not what I thought you were referring to.

Mr. MORRIS. If you do not remember serving on the committee with Henry Collins, you should say that you do not remember.

Miss BARROWS. No—I invoke the fifth amendment on that. I thought you were referring to something else.

Mr. MORRIS. Let me make this clear. If you have no recollection of attending a meeting with Henry Collins, you have to tell the committee that you have no such recollection, because you would not be justified in that in invoking the privilege. Do you understand that, Miss Barrows?

(Witness confers with counsel.)

Miss BARROWS. I invoke the fifth amendment, Mr. Morris.

Senator WELKER. Senator Butler?

Senator BUTLER. I have no questions.

Senator WELKER. Counsel, do you have questions?

Mr. MORRIS. I have no questions, Senator.

Senator WELKER. There being no further questions, the committee will suspend.

I would like to have a short executive session.

(Whereupon, at 2:50 p. m., the committee proceeded to executive session and the open hearing was closed.)

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